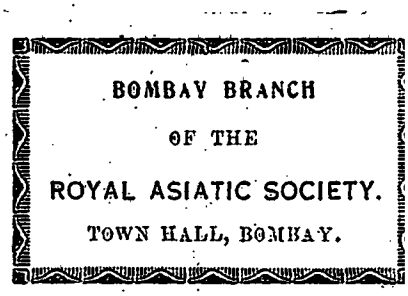
00109059



Digitized with financial assistance from the
Government of Maharashtra
on 02 July, 2018

Adjudication

by the Hon. Mr. Justice G. S. Rajadhyaksha
in the trade dispute between

1 The Nine Indian Government Railway
Administrations and

2 The Posts and Telegraph Department

DL 162
1750

ADJUDICATION

BY

109059

The Hon'ble Mr. Justice G. S. Rajadhyaksha, I.C.S.
(Bombay High Court)

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY

IN THE

TRADE DISPUTE BETWEEN THE NINE INDIAN GOVERNMENT RAILWAY ADMINISTRATIONS AND THEIR RESPECTIVE WORKMEN

(DIRECTED BY THE GOVERNMENT OF INDIA UNDER RULE 81-A OF THE DEFENCE OF INDIA RULES)

VOL. I—REPORT.

JAIN BOOK AGENCY
Govt. Book Sellers
Connaught Place, New Delhi.

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI, INDIA
PRINTED BY THE MANAGER GOVERNMENT OF INDIA PRESS, NEW DELHI, INDIA
1947

Price Rs. 3 as. 6 or 5 sh. 6d.

00109059

TABLE OF CONTENTS

PART I.—GENERAL

	Paragraph
CHAPTER I.—INTRODUCTORY	
Terms of reference	1
Appointment of Assessors	2
Preliminary meeting and determination of procedure	3
Printed memoranda of Railways—Questionnaire issued	4
Submission of Statements of Demands and Replies	5
Public Enquiry delayed	7
Programme of the Inquiry	8
Witnesses examined and local inspections made	9
CHAPTER II.—GENERAL NATURE AND BACKGROUND OF THE INQUIRY	
Basis of Enquiry—Federation's Statement of Demands—Evidence of the Unions	10
Examination of Administration Witnesses	11
Examination of Regional Labour Commissioners and Labour Inspectors	12
Restriction of the number of witnesses	13
Main points stressed in the evidence	14
Impossibility of job-analysis in Court.	15
General nature of the evidence	16
Background for appreciating evidence	17
Proper approach to the problem	18
CHAPTER III.—GENERAL REVIEW OF STAFF ORGANISATION ON RAILWAYS	
Central Controlling Authority of Railways	19
Divisional System of organisation on N. W. and E. I. Railways	21
G. I. P. Railway partly divisionalised	22
Departmental Organisation on other Railways	23
Deputy General Managers (Staff)	24
Traffic staff at large stations	25
Traffic staff at intermediate stations	26
Traffic staff at small stations	27
Traffic staff at flag stations	28
Traffic staff other than station staff—Traffic Inspectors, Section Controllers, Van Clerks, Travelling Ticket Checking Staff.	29
Engineering Department	30
Mechanical Department—Workshops	34
Locomotive Sheds	35
Engine Crew	36
Carriage and Wagon staff.	37
Stores staff	38
Accounts and medical staff	39
Minor Departments—Electrical, Watch and Ward, Catering and Marine	40
Clerical staff	46
Welfare staff	46
Chart illustrating organisation of staff	48

PART II.—HOURS OF WORK AND PERIODIC REST

CHAPTER IV.—HOURS OF EMPLOYMENT REGULATIONS

	Paragraph
Hours of Employment Regulations	49
Summary of Washington Convention	50
Article 10 of the Convention applicable to India	60
Summary of the Geneva Convention	61
Ratification of the Conventions by India—Enactment of the Indian Railways (Amendment) Act, 1930	65
Brief Summary of the Regulations	66
Scope	67
Classification of Staff	69
Hours of Employment	73
Periodic Rest	75
Temporary exemptions from the limitation of hours of work and grant of periodic rest	78

CHAPTER V.—REVIEW OF THE PRESENT POSITION IN RESPECT OF THE OBSERVANCE OF THE HOURS OF EMPLOYMENT REGULATIONS ON THE VARIOUS RAILWAYS

Dates of introduction of the Regulations on Railways	82
Summary of the main provisions of the Hours of Employment Regulations	84
Importance of correct classification—Likely points of difference between Railways and Workmen	86
Defects in Subsidiary Instruction No. 1 regarding definition of essentially intermittent workers and present practice	87
No comprehensive review of classification generally undertaken since the War	90
Complaints of combined duties being disregarded in determining classification	91
Incorrect classification as "Supervisory"	93
Powers exercised by lower officials than the competent authority	94
Appeals to Railway Board not always forwarded	95
Cases of wrong or doubtful classification taken up by the Labour Inspectorate	96
Over-all Ratio of classification on Railways	97
Ratio of classification on various railways compared	98
Classification of important categories on different Railways compared—Position on each Railway summed up	101
Weekly rostered hours	102
Working outside rostered hours	104
Exemptions from limitation of working hours and overtime	111
Weekly rest	112
Percentages of continuous staff getting a calendar day's and 24 hours' rest	119
Rest to essentially intermittent and excluded staff	121
Staff working on rest days	122
Summary of the Review	126

CHAPTER VI.—DEMANDS OF THE ALL INDIA RAILWAYMEN'S FEDERATION AND PRINCIPLES TO BE FOLLOWED IN RESPECT OF CLASSIFICATION OF STAFF AND THEIR HOURS OF WORK AND PERIODIC REST

Terms of Reference	135
Possible meanings of "existing hours of work"	136
Federation's demand for a 42-hour week and a weekly rest of 32 hours including a calendar day for all staff	137
Federation's demands reiterated by most Unions	139
Improvements envisaged in Railway Board's letter No. E.45 G.17 (L) dated 9th February 1946	142
Joint Reply of Railway Administrations	143
Case for reduction in working hours	146
Further limitation foreshadowed in Article 10 of the Washington Convention	147

	Paragraph
Assurance given by Government during the debate on Indian Railways (Amendment) Bill	148
Recommendations of Royal Commission on Labour	151
Liberalisation of the Factories Act	152
Bhore Committee's recommendations.	153
Some general arguments for and against reduction in working hours	155
Uniformity of working hours not possible on Railways—Railway operation unlike other industrial concerns	162
Divergence in volume of work at various stations etc.	163
Differences in nature of work	168
Exception from the general standard permitted by the Washington Convention in the case of intermittent workers	169
Practice in Western Countries	170
Exclusion justified in some cases	173
Views of Labour Commission	175
Reasons for rejecting Federation's demand for uniform working hours summed up	176
Evidence of Union witnesses	178
Evidence of Representatives of the Labour and Railway Departments	179
General conclusions with regard to classification of staff etc.	180
Principles governing periodic rest	181
Present definition of "Hours of Employment"	183
Definition suggested by the All India Railwaymen's Federation	184
Time spent in travelling on duty and how it should be treated	186
Waiting duty	191
Time at call	192
Time for taking and making over charge	193

CHAPTER VII.—CONTINUOUS WORKERS

Scope	194
Weekly rest—Present and proposed	195
Weekly hours of employment—Sample Rosters	19

CHAPTER VIII.—INTENSIVE WORKERS

Intensive work defined	201
Views of Railway Administrations regarding staff whose work is specially arduous	202
Examples of categories whose work may be said to be strenuous	203
Description of the duties of these categories	204
Section Controllers	205
Staff doing line clear work	207
Signallers employed on heavy circuits	210
Wireless Operators	211
Certain classes of yard staff	213
Yardstick suggested for classification as intensive	216
Periodic rest recommended	218
Statutory limit of weekly hours of employment—Sample Rosters	219
Other categories likely to claim classification as intensive	220

CHAPTER IX.—"ESSENTIALLY INTERMITTENT" STAFF

Definition of "Essentially Intermittent"	228
Defects of the existing definition	229
Definition visualised by the Railway Board	230
Alternative definitions and views of Railway Administrations	231
Definition recommended	232
Application of the definition in certain cases	234
Periodic rest suggested	237
Weekly hours of employment—Sample Rosters	238

	Paragraph
Chapter X.—Excluded Staff	
Analysis of Excluded Staff	239
Excluded (inferior) Staff	241
Complaints made against exclusion of inferior staff	243
Advice of witnesses representing Railway Administrations and Labour Department	244
Railway Board's views	245
Recommendations	246
Excluded (Supervisory) Staff—Complaints made	247
Recommendations	248
Members of Health and Medical Services	249
Summary of recommendations regarding Excluded Staff	250
Periodic rest proposed for Excluded Staff	253
Chapter XI.—Locomotive and Traffic Running Staff	
Exclusion meant to be temporary	254
Reasons for delay in applying the Regulations to such staff	255
Existing position on different Railways	256
G. I. P. Railway	257
B. B. & C. I. Railway	258
M. & S. M. Railway	259
S. I. Railway	260
N. W. Railway	261
O. T. Railway	262
E. I. Railway	263
B. N. Railway	264
B. A. Railway	265
Electric traction service on suburban services	266
Time allowed for engine or train attendance and maximum hours of work at a stretch	267
Maximum period of absence from Headquarters	268
Longest run	269
Views of the Railway Board	270
Regulations to be applied to Running Staff	273
Simultaneous revision of the structure of their emoluments	274
Weekly limit for continuous workers to apply	275
Duty at a stretch	276
Periodic rest	284
Other points	285
Summary of recommendations	288
Chapter XII.—Other Running Staff	
Hours of Employment Regulations to be applied	289
Travelling Ticket Examiners	290
Travelling Van Checkers and Travelling Van Porters	292
Travelling Stores Delivery Staff	293
Loco Van Clerks	294
Recommendation regarding weekly hours of work—Method of Calculation	295
Recommendations regarding periodic rest	296

	Paragraph
Chapter XIII.—Shed Staff	
Application of Factories Act to Locomotive Sheds	297
Number of sheds under the Factories Act and those under the Hours of Employment Regulations	298
Sheds where some staff are governed by the Factories Act and others by the Hours of Employment Regulations	299
Differences in the provisions of the Factories Act and the Hours of Employment Regulations	301
Anomalies and possible remedy	302
Recommendation regarding rostered hours of continuous workers in large sheds	303
Overtime payments to Shed Staff	304
Chapter XIV.—Special classes of Staff	
Marine Staff	306
O. T. Railway	307
B. A. and B. N. Railways	308
S. I. Railway	309
Pay Staff	314
Catering Staff	315
Periodic rest for pay staff and catering staff	316
Chapter XV.—Exemption from statutory provisions regarding hours of employment and periodic rest	
Existing provisions	317
Recommendation for grant of overtime in cases of accidents, etc	318
Rate of overtime—Recommendation for increase	319
Maintenance of adequate records of overtime work	320
Compensatory rest	321
Averaging clause to be retained	322
Complaints regarding inadequacy of staff	323
Other points	324
Chapter XVI.—Miscellaneous points	
Split shift in the interest of the worker	327
Split shift due to exigencies of service	328
Hard cases of split-shift	329
Recommendations	330
Continual night duty	331
Station masters and assistant station masters	332
Other cases of continual night duty	333
Demand of the Federation with respect to night duty	334
Recommendations	335
Unsatisfactory nature of running rooms, crew vans and rest vans	336
Recommendation	337
Necessity of providing a rest room at large stations	338
Value of providing such amenities	339

Para-graph

CHAPTER XVII.—PROVISION OF A SUITABLE MACHINERY TO ENSURE FAIR AND CORRECT CLASSIFICATION AND TO RESOLVE DISPUTES

Necessity for machinery to ensure fair and correct classification 340

Chief Labour Commissioner and his staff 341

Nature of inspection by the staff of the Chief Labour Commissioner . . . 342

Inadequacy of staff at the disposal of the Regional Labour Commissioners . . 343

Necessity of internal organisation on Railways 344

Staff at present employed by various Railways 345

Recommendations 347

Machinery suggested for settlement of disputes regarding classification . . . 348

CHAPTER XVIII.—DATES BY WHICH PROPOSALS CAN BE IMPLEMENTED

Views of Railway Administrations 349

Estimate of additional staff and cost and difficulties anticipated 350

Large proportion of additional staff needed in Class IV services 351

Recruitment of additional staff 352

Training of additional staff 353

Training of assistant station masters, signalmen, etc. 354

Training of Loco Running Staff 355

Provision of quarters 356

Proposals 357

Individual Railway Administrations to implement proposals earlier where feasible . 358

PART III.—LEAVE RULES AND LEAVE RESERVES

CHAPTER XIX.—EXISTING LEAVE RULES AND OTHER HOLIDAY CONCESSIONS APPLICABLE TO RAILWAY SERVANTS WHO ARE DAILY-RATED OR IN INFERIOR SERVICE

Leave Rules for Government servants prior to 1st January 1922—Civil Service Regulations 360

Leave Rules from 1st January 1922—Fundamental Rules 361

Inferior staff 362

Daily-rated staff 364

Defects noticed in old leave rules 365

New State Railway Leave Rules—April 1930 366

Subsequent improvements in leave rules applicable to inferior and daily-rated staff 367

Temporary employees 368

Inferior staff paid from contingencies 369

Ex-Companies' Leave Rules 370

New rules introduced on Company-managed railways with effect from 1st October 1931 371

Casual leave or paid holidays *in lieu* 374

Special kinds of leave 375

Types of staff eligible for staff 376

	Paragraph
Chapter XX.—Proposals for liberalisation of leave rules and holiday concessions applicable to daily-rated and inferior servants	
Three sets of rules now in force	377
New Rules to be the basis for considering the improvements necessary	378
Leave on full and half pay under the new rules to inferior and daily-rated staff	379
Casual leave or holidays *in lieu*	380
Demands of All India Railwaymen's Federation and Unions	382
Joint Reply of Railways	384
Summing up by Mr. Hasan	385
Summing up by Mr. Guruswami	387
Replies of Administrations to the Pay Commission's questionnaire regarding leave	388
Revised Leave Rules, 1933, for other Govt. Departments	390
New State Railway Rules and Revised Leave Rules, 1933, compared	391
Rules for daily-rated staff in the Railway Department and other Central undertakings compared	392
Liberalisation necessary	393
Absolute uniformity of rules not justified	394
Skilled labour in workshops and sheds	395
Inferior staff in other Railway Departments	396
Conference with the Pay Commission	397
Recommendations for Class IV Service	398
Daily-rated staff	399
Calculation of leave salary	400
Temporary employees	402
Improper medical certificates	403
Paid holidays and casual leave	404
Unpaid holidays in workshops	405
Inferior servants in Railway schools	406
Special kinds of leave	407
Fresh option to men under old leave rules	408
Chapter XXI.—Leave Reserves	
Methods adopted by Railways to enable staff to enjoy leave due	410
Divergence in leave reserves for various categories and on various railways	411
Review of existing reserves on Railways	412
Railway Board's policy	414
Leave difficulties	415
All India Railwaymen's Federation's demand	417
Principles and methods on which the existing reserves and other arrangements for the grant of leave should be reviewed	418
Reserve required for purposes other than leave	419

	Paragraph
Additional provision for men-days lost by relieving staff in travelling and waiting for orders	420
Estimate of annual leave and other absence	421
Calculation of relieving staff	425
Reserves estimated	427
Other facilities suggested	428

PART IV.—CONCLUSION

CHAPTER XXII.—SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

Informal discussions with Representatives of Railway Administrations and Unions	429
Conclusions on various Terms of Reference	430
Recommendations summed up	432
Plea for co-operation between Railway Administrations and Workmen	433
CHAPTER XXIII.—ACKNOWLEDGMENTS	434—439

PART I.—GENERA

CHAPTER I.—INTRODUCTORY

Terms of reference.—The Government of India in the Labour Department, in their notification No. LR-2(22), dated 23rd April 1946 issued under Rule 81A of the Defence of India Rules, referred to me for adjudication the following points in the dispute between the nine Indian Government Railways (namely, the North Western, the East Indian, the Bengal Nagpur, the Bengal Assam, the Great Indian Peninsula, the Bombay Baroda and Central India, the Oudh Tirhut, the Madras and Southern Mahratta and the South Indian, Railways) and their respective workmen:—

"(1) Whether the existing hours of work of railway servants, other than those to whom the Factories Act, 1934, applies, should be reduced and if so, to what extent and to what classes of railway servants; if reduced, the date or dates by which any such reduction could be effected, taking into consideration the administrative difficulties if any.

(2) Whether the grant of a compulsory periodic rest of a calendar day should be allowed to all railway servants referred to in (1) above, including those designated as essentially intermittent workers; if not, whether periodic rests in any other form are recommended.

(3) Whether the existing provisions regarding leave reserve are satisfactory; if not, the modifications required to provide reasonable facilities to railway servants to enjoy leave due to them.

(4) Whether the existing leave rules and other holiday concessions applicable to railway servants who are daily rated and/or in inferior service, need liberalising and, if so, to what extent."

The Government of India also directed that so far as may be necessary, I should exercise such powers as are conferred on, and follow such procedure as is prescribed for, the Board of Conciliation under the Trade Disputes Act, 1929, and the Trade Disputes (Central) Rules, 1938. The notification is reproduced in Appendix I.

2. **Appointment of Assessors.**—As the matters referred for Adjudication were of a somewhat technical nature, I considered it desirable to appoint two Assessors in exercise of the power conferred upon me under Rule 18 of the Trade Disputes (Central) Rules, 1938. Accordingly the Government of India, at my request, created two posts of Assessors which were filled early in July by the appointment of Mr. P. B. Chandwani, Deputy General Manager (staff), N. W. Railway (on leave preparatory to retirement), and Professor Humayun Kabir, President of the B. A. Railway Employees Association, in consultation respectively with the Railway Board and the All-India Railwaymen's Federation.

3. **Preliminary meeting and determination of procedure.**—Although the Adjudication was ordered as early as April, the actual proceedings could not, for various reasons, start before 8th July 1946, when a preliminary meeting was held at Bombay at which representatives of the nine Railway Administrations and the All-India Railwaymen's Federation were present. The general lines of the enquiry and the procedure to be adopted were discussed at the meeting. Immediately thereafter a notice was served on the All-India Railwaymen's Federation, calling upon it to file its written Statement of Demands by 31st July 1946. At the same time a notice was published in all the leading newspapers of the country inviting similar statements from other Unions or Associations not affiliated to the All-India Railwaymen's Federation and from

any individual employees who were not members of a Union. Copies of the notices were also sent separately to six of the Unions not affiliated to the Federation but recognised by the respective Railway Administrations.

4. **Printed Memoranda of Railways—Questionnaire issued.**—In the meantime Railway Administrations furnished a printed Joint Memorandum stating briefly the present position with regard to the points under Adjudication, accompanied by Supplementary Memoranda dealing with the position on each Railway at some length. These were found very helpful and copies were made available to the All-India Railwaymen's Federation and the various Unions. I also addressed, towards the end of August, a questionnaire to the nine Railway Administrations. It is reproduced as Appendix II with a summary of the replies to most of the questions in Appendix III. Copies of the questionnaire and the replies of the Railway Administrations were supplied to the Federation.

5. **Submission of Statements of Demands and Replies.**—A few Unions filed their written Statements by the prescribed date (31st July 1946) but owing to the postal strike and the consequent difficulty and delay in contacting its affiliated bodies, the Federation was not able to submit its statement until 16th August 1946. This statement, received on 19th August, related only to the general demands applicable to all the Railways as a whole and was to be followed up by supplementary statements from individual Unions relating to particular Railways. Time was given for the submission of these supplementary statements up to 9th September in the case of Unions on the G. I. P. and B. B., & C. I. Railways, 20th September in the case of those on the N. W. and O. T. Railways and 30th September in the case of those on the E. I., B. N., B. A., M. & S. M. and S. I, Railways. Actually several such statements received even after the expiry of the due dates, were accepted provided there was a reasonable interval of time for the Railway Administration concerned to comment on them. Immediately on receipt of the Statements of Demands copies of the same were sent to the Railway Administration or Administrations concerned asking for their replies by specified dates. Copies of the replies received were sent forthwith to the Unions concerned, some of whom filed rejoinders. The Statement of Demands of the All-India Railwaymen's Federation, which covered all the Railways, was commented upon jointly by all the nine Administrations. Appendix IV contains the list of Unions and individuals filing written Statements of Demands in time and/or adducing oral evidence at the hearing. The more important of the Statements and the Replies thereto of the Railway Administrations, are reproduced as Appendices V and VI respectively. Of the 28 Unions which filed written Statements, 14 were affiliated to the Federation and 6, though not affiliated to the Federation, were recognised by the respective Administrations. The remaining 8 were neither affiliated nor recognised.

6. There were a number of Statements of Demands (about 40) which were received too late for any formal action to be taken by way of obtaining the comments of the Administrations concerned.

7. **Public Enquiry delayed.**—It was the intention that the public sittings should commence at Bombay on 19th August 1946. This date could not, however, be adhered to as the Statement of Demands of the Federation was not, as stated above, received in time. The first public sitting was held on 5th September, but owing mainly to the disturbed conditions then prevailing in Bombay City, the examination of the witnesses could only be taken up on 16th September, though in the interval another preliminary sitting was held on 11th September.

8. **Programme of the Inquiry.**—The sittings at Bombay continued up to 27th September. A few witnesses from the G. I. P. Railway and a larger number from the B. B. & C. I. Railway still remained to be examined. It was deemed advisable to put off their examination till my return to Bombay after

visiting other centres, so as not to disturb the programme of inquiry already fixed up at those centres. The sittings at Lahore in respect of the N. W. Railway lasted from 8th to 15th October and those at Gorakhpur in respect of the O. T. Railway from 21st to 27th October. The sittings with regard to the B. A. Railway commenced at Calcutta on 31st October but owing to the disturbed conditions in the city, they had to be adjourned from 3rd to 11th November. From 11th to 21st November the remaining witnesses from the B. A. Railway were examined and thereafter the inquiry with regard to the E. I. Railway was taken up. The sittings at Calcutta ended on 4th December 1946 when the E. I. Railway inquiry was finished. It was originally our intention to hold the inquiry in respect of the B. N. Railway also at Calcutta, but in response to a joint request from the Unions concerned, to which the Railway Administration did not raise any objection, the venue was shifted to Nagpur at the last moment. The sittings at Nagpur lasted from 9th to 20th December. These were followed by sittings at Madras from 4th to 17th January 1947 in respect of the M. & S. M. Railway and at Trichinopoly from 20th January to 5th February 1947 in respect of the S. I. Railway. The sittings with regard to the G. I. P. and B. B. & C. I. Railways were resumed at Bombay on 17th February and concluded on 27th February. Thereafter the final summing up and arguments were heard from 3rd to 6th March 1947. As there was some overlap between my terms of reference and those of the Central Pay Commission in the matter of leave rules applicable to the inferior and daily rated staff, Mr. Chandwani and I had a conference with the Chairman and Members of the Pay Commission at Delhi on 22nd March and with the Chairman alone on 24th March.

9. **Witnesses examined and local inspections made.**—In all 101 sittings were held and 249 witnesses were examined of whom 7 were Court witnesses. 9 on behalf of the Administrations and the rest on behalf of the employees. Appendix VII contains a list of the witnesses. In the course of the tour opportunity was taken wherever possible to inspect stations, workshops, sheds and offices and to acquire first-hand information of the nature and conditions of work at those places. Appendix VIII contains a list of the places so visited.

CHAPTER II.—GENERAL NATURE AND BACKGROUND OF THE INQUIRY

10. **Basis of Inquiry—Federation's Statement of Demands—Evidence of the Unions.**—The basis of this inquiry has been the Statement of Demands submitted by the Federation on 16th August 1946. It was expected that the Federation would lead evidence and produce documents in support of its demands at Bombay and that the inquiry at the headquarters of the various Railway Administrations would be confined to any special features connected with the particular Railway. It was, however, found that the Federation did not have any witnesses of their own and that their case was to be established by the evidence led by the various Unions in connection with each railway. Accordingly at each centre of inquiry evidence was led by the various Unions, both affiliated to the Federation and otherwise, and on the basis of the evidence so led, Mr. Guruswamy, General Secretary of the All-India Railwaymen's Federation, summed up the case on behalf of the Federation. It was somewhat unfortunate that it was not possible for the same representative of the Federation to attend the inquiry at all the centres though Mr. M. A. Khan Vice-President, was present at Bombay, Lahore and Nagpur and Mr. B. K. Mukerji, another Vice-President, at Calcutta, Nagpur, and Trichinopoly. At Lahore and at Madras a few witnesses came to give evidence on their own behalf. Mr Hasan, the Special Officer appointed by the Railway Board to

co-ordinate the cases of the Railway Administrations remained present throughout the inquiry and his assistance in the progress of the inquiry and collection of data has been invaluable.

11. **Examination of Administration Witnesses.**—After the evidence of the Unions was recorded, the Railway Administrations examined one witness each on their behalf. They stated the case of the respective Railways with regard to the terms of reference The witnesses examined on behalf of the E. I. and S. I. Railways confined their evidence to one special aspect of the inquiry *viz.* the position with regard to the Running Staff. All these witnesses were cross-examined by the Unions' representatives, though their replies were naturally limited to those aspects of Railway Administration with which they themselves were specially familiar.

12. **Examination of Regional Labour Commissioners and Labour Inspectors.**—At each centre, the Regional Labour Commissioner or the Labour Inspector was called as a Court Witness. These officers were intimately acquainted with the operation of the Hours of Employment Regulations and as expected their evidence, as independent witnesses, was of assistance to me in appraising the situation.

13. **Restriction of the number of Witnesses.**—My terms of reference require me *inter alia* to report whether the existing hours of work of railway servants should be reduced and if so, to what extent. There are hundreds of categories of railway servants. And the task was further complicated by the fact that some of the railway staff doing almost identical work were known by different names on different railways. It was obviously impossible to go in very great detail into the conditions of work and service of each category within the time in which this inquiry was expected to be completed. I had, therefore, to ask the Unions to confine their evidence to those categories which had a special grievance in respect of the points referred for Adjudication. The Unions also agreed at my request to curtail their list of witnesses to a reasonable number so that the inquiry might be kept within manageable proportions. In consequence of this I had to permit the witnesses to speak not only with regard to the working conditions of the category from which they came but also of those of whose work they had first hand knowledge. Thus a Station Master could speak of the conditions of work of the staff under him including Signallers and Guards in which capacity he might have served before he became a Station Master. Similarly an Engine Driver could give evidence not only of the working conditions of Engine Drivers but also of Firemen and Cleaners who worked under his immediate supervision. It did happen on certain railways that owing to the existence of more than one Union two or more witnesses were examined from the same category. But this was under the circumstances inevitable as I did not desire any Union to go away with a feeling that it had not been given reasonable opportunity of substantiating its case.

14. **Main points stressed in the evidence.**—The evidence led by the witnesses was mainly directed towards establishing:

(1) That the work of certain categories of staff was so strenous as to make even an 8 hour shift too onerous.

(2) That there was no justification for the existence of the class "Essentially Intermittent" or for the exclusion of any staff from the Hours of Employment Regulations.

(3) That certain railway servants at certain stations were wrongly classified as essentially intermittent.

(4) That certain classes of railway workers were wrongly classified as "Supervisory" and excluded.

(5) That owing to the inadequacy of staff or other circumstances certain classes of railway servants had habitually to work outside the rostered hours.

(6) That over-time registers were not properly maintained.

(7) That some of the workers had habitually to do night duties.

(8) That even those entitled to weekly rest got it only as a result of doing double duty.

(9) That many railway servants now classed as "Essentially Intermittent" or "Excluded" did not get any weekly rest under the Regulations.

(10) That those entitled to compensatory rest under the rules did not sometimes get it.

(11) That running staff had to do long duty at a stretch and had to be out of headquarters for many days.

(12) That running rooms and rest vans were not satisfactory.

(13) That railway servants did not get leave when they wanted it even in urgent cases.

(14) That the present leave rules for inferior and daily-rated staff did not make adequate provision for their leave requirements.

15. **Impossibility of job-analysis in Court.**—It was clearly impossible for me when it was alleged that a particular railway servant was wrongly classified as intermittent, to make a job analysis in Court and to ascertain, by means of examination and cross-examination of the witnesses, whether the allegation was correct. The Railway Administrations themselves did not claim infallibility in the matter of classification and it was obvious that with fluctuating traffic, the line dividing a continuous from an intermittent worker became somewhat obscure. It was also noted that when any statement of a witness sent in advance to the Administration revealed any glaring defect, it was very often rectified by the time the evidence came to be recorded. However, the evidence led served the useful purpose of indicating to me the general nature of the work done by various categories of staff.

16. **General nature of the evidence.**—While some of the witnesses gave evidence with a realisation of a sense of responsibility, certain others in trying to establish the strenuous nature of the work done, indulged in over estimates and exaggerations and resorted to picturesque language. For instance, a Guard on the N. W. Railway described the conditions of his service as "working like a donkey, eating like a camel and sleeping like a dog". A Trollyman on the G. I. P. Railway stated that he had to push a trolly up the Ghat on a gradient of 1 in 45 for several miles, a feat which was physically an impossibility. Some of the witnesses made extravagant demands; as for example, a Yard Station Master on the S. I. Railway suggested that instead of 3 Yard Station-Masters doing duty at present at Trichinopoly there should be 16. Another witness, a parcel clerk, suggested that a Road Van Clerk doing 3 hours night duty needed 36 hours rest before he could be called upon to do another spell of night duty. Evidence of this type was hardly likely to inspire confidence. But on the whole the evidence led by the Unions did disclose certain instances of misclassification, of working beyond rostered hours and of refusal of leave sometimes when it was badly needed.

17. **Background for appreciating evidence.**—In appreciating this evidence, however, as stressed by Mr. Hasan in his summing up, one has to remember that the witnesses generally gave evidence about the conditions of work during the last 3 or 4 years. These were undoubtedly not normal years. Till 1945 war conditions prevailed and the Railway Administrations frankly admitted that they experienced considerable difficulty in getting recruits and as a result certain categories of staff were undoubtedly over-worked and grant of leave had often to be restricted. The traffic, both passenger and goods, carried by the railways reached record proportions. In the case of the B. A. Railway certain portions had to be militarised. With the fall of Burma, unprecedented problems for arranging the retreat of forces and return of refugees arose and owing to constant threat of Japanese invasion, arrangements had to be made for transporting men, material and ammunitions to the fighting zone. Some of the staff became panicky and began to leave and new recruits were not forthcoming in Assam and Chitagong areas. Complications arose in the case of certain Administrations by the amalgamation of different Railways which was effected during war years and by the application of the Regulations for the first time during that period. Even after the end of the war in 1945, the level of traffic continued to be high and normal conditions were not restored on the cessation of hostilities. In addition to this, the year 1946 was an abnormal one in many ways. The normal working of the railways was in danger of being considerably upset by a threat of general strike and in the case of the S. I. Railway, there was actually a strike in the months of August and September. During that year arrears of dearness allowance were sanctioned and later on *interim* relief was given by Government. There was also the work to be done in connection with the Pay Commission and this Adjudication. Many Railway Administrations submitted that they were not able to recruit sufficient staff even though educational qualifications for service were lowered and the age limit waived. All this added to the work of certain categories of staff and to the difficulties in the grant of leave.

18. **Proper approach to the problem.**—The proper way of approaching the problem, therefore, was to judge whether the existing Rules and Regulations were fair to the staff and the Administrations under normal conditions. In this report, therefore, I shall not attempt to deal in great detail with the evidence actually led by the witnesses as I take it that their whole object was to bring to my notice the nature of their work and the conditions under which it was performed and to point out how the existing rules and arrangements worked unfairly, having regard to these considerations.

CHAPTER III.—GENERAL REVIEW OF STAFF ORGANISATION ON RAILWAYS

19. **Central Controlling Authority of Railways.**—This inquiry, as the terms of reference make it clear, concerns the workmen of nine Railways which are all now managed, as well as owned, by the Government of India, who administer them through the Railway Board. The General Managers of the Railways, though enjoying extensive powers, *e.g.*, in respect of the creation of additional posts, are under the complete administrative control of the Railway Board; and all questions of major policy and those affecting more than one Railway are dealt with by the Board, and where necessary, by the Government of India in consultation with the Board.

20. The Railway Board consists of the Chief Commissioner of Railways, the Financial Commissioner and three Members—one of them a Staff Member dealing with problems affecting staff and labour. The Board have a Secretary

to whom all communications meant for them are addressed and the Members are assisted by Directors and Deputy Directors, usually selected from amongst experienced officers of Railways.

21. **Divisional System of organisation on N. W. and E. I. Railways.**—Indian Railways are organized on two distinct systems, namely, (1) Divisional and (2) Departmental. The former was introduced on the North Western and East Indian Railways in 1924 and 1925 respectively. These Railways are divided up into seven and six divisions respectively, each in charge of a senior officer called the Divisional Superintendent, who functions as the local representative of the General Manager and directs and co-ordinates the working of the various branches of the Railway with the assistance of technical officers such as a Divisional Engineer, a Divisional Transportation Officer, a Divisional Commercial Officer, a Divisional Mechanical Engineer, a Divisional Medical Officer, a Divisional Accounts Officer and a number of Assistant Officers. A Personnel Officer is also provided in each Division to deal with all personnel and welfare work, in close collaboration with the technical officers of the respective branches. The Divisional Officers are under the administrative control of the Divisional Superintendent, but they are responsible for the technical efficiency of their respective branches to the Heads of Departments at headquarters, *viz.*, the Chief Engineer, the Chief Operating Superintendent, the Chief Commercial Manager, the Chief Mechanical Engineer, the Chief Medical Officer and the Financial Advisor and Chief Accounts Officer. The workshops are outside the territorial divisions and are in charge of a technical officer of administrative rank who is assisted by Works and Assistant Works Managers and by a Personnel Officer, and himself works under the Chief Mechanical Engineer. The Stores Department also functions outside the divisions and is in charge of a Controller of Stores who is assisted by Deputy, District and Assistant Controllers.

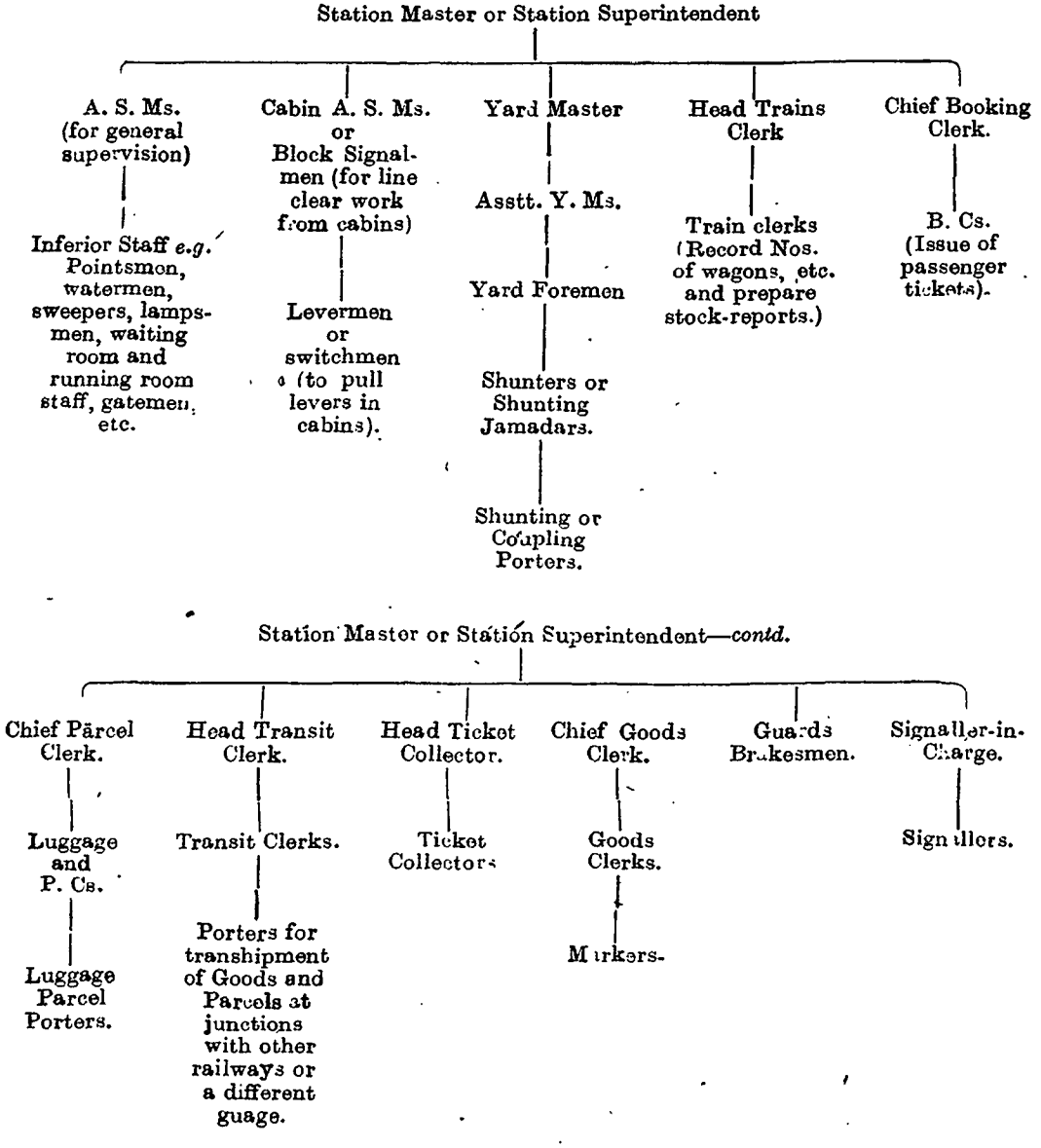
22. **G. I. P. Railway partly divisionalised.**—The G. I. P. Railway is only partly divisionalised; while the operating branches are placed under a Divisional Transportation Superintendent, the Engineering and Commercial Departments remain distinct with Divisional Engineers and Divisional Commercial Superintendents responsible direct to the Chief Engineer and Chief Traffic Manager respectively. A Staff Officer is provided on each Division.

23. **Departmental Organisation on other Railways.**—Other Railways function on the departmental system. There the chain of responsibility, both in technical and administrative matters, proceeds from the General Manager to the Heads of the Departments, and through them to District Officers, who in turn are assisted by Assistant Officers. The Accounts Department is mainly centralized at the headquarters though an Accounts Office is usually attached to the Workshops as well as to the Stores Department. For a few large districts and workshops a Staff Officer is provided to deal with staff questions.

24. **Deputy General Managers (Staff).**—At the headquarters of all Railways there is a Deputy General Manager (Staff) who is responsible to the General Manager for the direction and general supervision of personnel and welfare work on the Railway as a whole. He works in collaboration with the Heads of Departments.

25. **Traffic staff at large stations.**—Non-gazetted staff is organised on more or less uniform lines on all Railways. Taking first the station staff in the Traffic Department, a visit would show that the organizatoin differs at large and at roadside stations. At a large station one sees the Station Master or the Station Superintendent controlling a considerable number of employees with the assistance of Supervisors in various branches of work such as Assistant

Station Masters, Chief Booking Clerk, Head Ticket Collector, Chief Parcel Clerk, Yard Master, Chief Goods Clerk, Head Trains Clerk, Head Transit Clerk, Signaller-in-Charge, etc. The following chart illustrates a typical organization:


Station Master or Station Superintendent
A. S. Ms. (for general supervision)
Inferior Staff e.g. Pointsmen, watermen, sweepers, lampsmen, waiting room and running room staff, gatemen, etc.
Cabin A. S. Ms. or Block Signalmen (for line clear work from cabins)
Levermen or switchmen (to pull levers in cabins).
Yard Master
Asstt. Y. Ms.
Yard Foremen
Shunters or Shunting Jamadars.
Shunting or Coupling Porters.
Head Trains Clerk
Train clerks (Record Nos. of wagons, etc. and prepare stock-reports.)
Chief Booking Clerk.
B. Cs. (Issue of passenger tickets).
Station Master or Station Superintendent—contd.
Chief Parcel Clerk.
Luggage and P. Cs.
Luggage Parcel Porters.
Head Transit Clerk.
Transit Clerks.
Porters for transhipment of Goods and Parcels at junctions with other railways or a different guage.
Head Ticket Collector.
Ticket Collectors
Chief Goods Clerk.
Goods Clerks.
Markers.
Guards Brakesmen.
Signaller-in-Charge.
Signallers.

Note 1.—On certain railways line clear work is concentrated in a central room in the station under a Train Despatcher who controls the working of the cabins, leaving cabinmen or levermen only to operate levers in the cabins.

Note 2.—Yard staff is responsible for the formation of goods trains and shunting operations in the marshalling yard, coupling and uncoupling being done by Shunting or Coupling Porters.

Note 3.—On most railways Booking, Parcel, Transit and Goods Clerks and Ticket Collectors are classed as commercial staff and so are non-technical inferior staff, namely, Watermen, Sweepers, etc. The other categories are ordinarily treated as transportation staff although some of them, *e.g.*, Station Masters and Assistant Station Masters, do combined transportation and commercial duties.

26. **Traffic Staff at intermediate stations.**—At intermediate stations the number of the staff is much smaller and they all work under the direct control of the Station Master and the Assistant Station Masters, eliminating the need for other supervisory staff, such as Yard Masters, Head Trains Clerks, Chief Booking and Parcel clerks.

27. **Traffic Staff at small stations.**—At small road-side stations the organization is still simpler. The Station Master has one or two Assistant Station Masters and they all work in 2 or 3 shifts as the case may be. As a rule they do combined duties of Booking Clerk, Ticket Collector, Goods Clerk, Signaller, etc., except where the amount of work warrants the provision of separate staff for such duties. Inferior staff at small stations usually consists of a few Pointsmen and Porters, one or two Watermen, a Sweeper and a couple of Gate-keepers. Generally, but not on all railways, they also do combined duties, *e.g.*, loading and unloading, watching of railway property, etc.

28. **Traffic Staff at flag stations.**—There is a small percentage of flag stations on railways where the staff employed consists only of a clerk (usually a Booking or Goods Clerk) in charge and one or two other employees such as a Sweeper or/and Waterman with a Pointsman if a siding is provided. No line clear work is done at such stations. At other very small stations line clear work is done but it is possible to close them at night and place them in charge of a single Station Master with a few Pointsmen and a Sweeper.

29. **Traffic Staff other than station staff—Traffic Inspectors, Section Controllers, Van Clerks, Travelling Ticket Checking Staff.**—Besides station staff the Traffic Department has the following employees.—

(1) Traffic Inspectors who control and supervise the working of intermediate and small stations.

(2) Section Controllers whose chief duty is to chart the movements of trains, to control the running of trains, particularly goods trains, and arrange crossings and precedence of trains on their respective sections. They work under the supervision of Deputy Controllers and the Chief Controller.

(3) Van Sorters (or Van Clerks) with Van Porters who are responsible for the loading and unloading of "smalls" at stations in and from goods van trains.

(4) Travelling Ticket Checking Staff whose duty it is to check tickets *en route* and issue excess fare receipts, etc.

30. **Engineering Department.**—Coming now to the Engineering Department the staff is mainly organised in two distinct sections as shown below (although on some Railways the same staff attends to both sections):

(1) Maintenance of Permanent Way.	(2) Maintenance of Works
P. W. Inspectors	Inspectors of Works
Assistant P. W. Is.	Assistant Inspectors of Works
P. W. Mistri	Mistries
Mates	Artisans
Keymen and Gangmen	Coolies

31. Gangmen employed on the maintenance of permanent way constitute the largest single class of workmen on railways. Each gang is in charge of about three miles of permanent way which may extend to four on branch lines and consists of about 8 or 9 Gangmen, one Keyman and one Mate.

32. Bridge staff comprising Inspectors, Mistries, artisans and coolies is also provided on a limited scale and the duties of many of them entail a prolonged period of absence from headquarters.

33. The Signal Engineering Branch forms part of the Engineering Department on most railways and of the Transportation or Operating Department on the rest. Its staff consists of two groups:—

(1) Signal Inspectors, Mistries, Fitters, Coolies, etc.; and

(2) Block Inspectors, Mistries, Fitters, Batterymen, Coolies, etc.

On some railways, however, the block maintenance staff works in the electrical branch instead of in the signal branch. There may be bridge and signal workshops too with Foremen, Chargemen, artisans and coolies. Other staff in the Engineering Department consists of Trollymen attached to Executive and Assistant Engineers and Inspectors, Pump Engine Drivers and Firemen, Gatemen outside station limits, etc.

34. **Mechanical Department—Workshops.**—Taking now the Locomotive and Carriage and Wagon (or Mechanical) Department in charge of the Chief Mechanical Engineer, the usual organisation in the workshops, whether Locomotive. Carriage and Wagon or Electrical, is as follows:

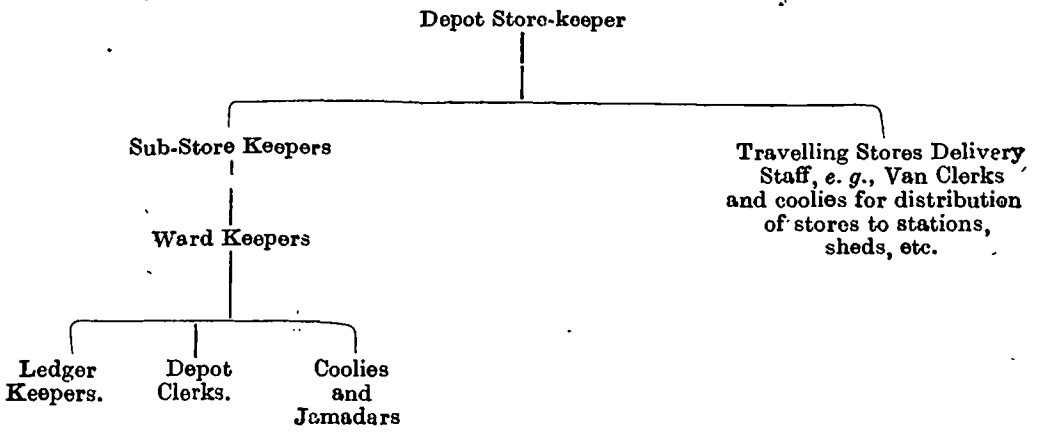
Foremen
|
Assistant Foremen
|
Chargemen
|
Mistries
|
Skilled Workmen
|
Semi-skilled and unskilled workmen

35. **Locomotive Sheds.**—In the Locomotive Sheds we see a similar organisation though on a much smaller scale. In the larger sheds there is usually a small shop where artisans (such as Machinemen) are employed on jobs of petty manufacture during the day. The maintenance of engines including running repairs is a continuous process, performed by Fitters, Boiler-makers, Coolies, Cleaners, etc. As a great deal of this work is done during the day shift, the strength of this shift is much larger than of the other shifts. In the yard adjoining the shed we find Engine Examiners, Greasers, Fuel Mates and Fuel Coolies, who also work in shifts.

36. **Engine Crew.**—The other important staff in this Department is Engine crew, *i.e.*, Drivers, Shunters and Firemen. They are usually attached to sheds though their work, as we know, is essentially the running of trains. Running Rooms with cooks and bearers are provided at out-stations for Engine crew as well as for Guards. Their inspection boxes are carried to and from these rooms by Box Porters while Call Boys are usually sent to warn them at these Rooms or their quarters a couple of hours before the departure of the train for which they are booked.

37. **Carriage and Wagon Staff.**—The Carriage and Wagon Staff consists of Train Examiners, who supervise the work of (a) carriage examining staff such as Fitters, Wheel-tappers, Cleaners, Bhishties, Coolies, etc., and (b) train lighting staff, such as Electricians, Fitters, Batterymen and Coolies. At large stations there are also "sick lines" where petty defects in wagons are attended to by Fitters, Carpenters, Wheelmen, Lifters, Repackers, Coolies etc. Such labour works only in the day shift but at some places is interchangeable with carriage-examining staff.

38. **Stores Staff.**—Turning now to the Stores Department, the non gazetted staff is organised as under:—


Depot Store-keeper
Sub-Store Keepers
Travelling Stores Delivery Staff, e. g., Van Clerks and coolies for distribution of stores to stations, sheds, etc.
Ward Keepers
Ledger Keepers.
Depot Clerks.
Coolies and Jamadars

As an adjunct to the Stores Department there is the Printing Press of the railway with its staff of Foremen, skilled labour such as Compositors, Machinemen, etc., and semi-skilled and unskilled labour.

39. **Accounts and Medical Staff.**—There remain two other principal departments *viz.*, Accounts and Medical. The non-gazetted staff in the former consists chiefly of Accountants and Clerks. Pay Clerks are employed departmentally on most railways in the Accounts Department and on a few through a contractor called a Cashier. The non-gazetted staff of the Medical Department includes Assistant Surgeons and Sub-Assistant Surgeons, nursing staff, dispensers, dressers and sanitary staff.

40. **Minor Departments—Electrical, Watch and Ward, Catering and Marine.**—There are also a few minor departments, which usually function as branches of principal departments, *e.g.*, Electrical, Watch and Ward, Catering and Marine.

41. The electrical branch on most of the railways is in charge of a Chief Electrical Engineer who functions as Deputy to the Chief Mechanical Engineer. He is generally responsible for the technical efficiency of the whole branch including the electrical workshop and power house and the maintenance of electric installations in large stations and railway colonies. He is assisted by a few Electrical Engineers. The non-gazetted staff in the branch consists of Electric Foremen, Assistant Foremen, Chargemen, Switch-board Attendants, Electrical Fitters, Wiremen, Armature Winders, Electricians, Coolies, etc.

42. An electric traction service is run on the Bombay Division including the suburban section of the G. I. P. Railway and on the suburban sections of the B. B. & C. I. and S. I. Railways. While the organisation at the top varies according to the size and importance of the branch on each Railway, the subordinate staff in the traction service is organised on fairly uniform lines and works generally in two sections, namely, (1) Distribution, *e.g.*, Traction Controllers, Foremen, Sub-station Attendants, Line Inspectors, Linemen, Coolies, etc., and (2) Operation and Maintenance, *e.g.*, Motormen or Drivers and shed staff such as Foremen, Chargemen, Fitters, Cleaners, Wiremen and Armature Winders.

43. The Watch and Ward Department is usually in charge of a Watch and Ward Superintendent and its staff consists of Inspectors and Sub-Inspectors, Head Watchmen and Watchmen or Chowkidars.

44. The catering department, which functions on the B. N., M. S. M. and S. I. Railways usually as a branch of the Commercial Department, includes Managers, Clerks, Stall-Keepers, Cooks, Servers or Bearers, Cleaners, etc., who work in Refreshment Rooms and in Restaurant Cars.

45. The Marine Department exists on the B. A., B. N., O. T. and S. I. Railways. On the first three only a ferry service is run but on the S. I. Railway there is a regular steamer between Dhanushkodi and Talaimannar Pier. The organisation on this railway is indicated in detail in a later chapter.

46. **Clerical Staff.**—Common to all departments is the clerical staff employed in (1) administrative offices, (2) divisional or district offices and (3) other subordinate offices, *e.g.*, under Permanent Way Inspectors, Inspectors of works, Station Masters and Foremen in large stations, sheds or shops.

47. **Welfare Staff.**—On ceratin railways Labour and Assistant Staff Wardens or Welfare Inspectors are employed to attend to staff grievances and organise welfare activities generally, while Hours of Employment Inspectors are also provided on some Railways to watch the proper working of the Hours of Employment Regulations. There are also a few schools for the education of the children of railway employees at certain large stations on railways.

48. **Chart illustrating organisation of staff.**—A chart illustrating in broad outline the organisation usually in force on most railways is furnished as Appendix IX. The total number of non-gazetted employees on the nine Indian Government Railways at the end of 1945-46 was in the vicinity of 9·25 lacs: of them the number of persons governed by the Factories Act is estimated to be about 1·5 lacs and that of daily rated and inferior servants 7·25 lacs. The number of workmen governed by the various Terms of Reference may therefore be estimated as under:—

(1) Hours of work and periodic rest (items 1 and 2)—7·75 lacs.

(2) Leave Reserve, etc. (item 3)—9·25 lacs.

(3) Leave Rules and holiday concessions (item 4)—7·25 lacs.

PART II.—HOURS OF WORK AND PERIODIC REST

CHAPTER IV.—HOURS OF EMPLOYMENT REGULATIONS

49. **Hours of Employment Regulations.**—The hours of work and periods of rest of railway servants (other than those employed in factories and mines) are generally determined by (1) the Indian Railways (Amendment) Act, 1930, (2) the Railway Servants' Hours of Employment Rules, 1931, and (3) Subsidiary Instructions published in the Government of India Gazette, dated 31st January 1931. These are collectively referred to as the Hours of Employment Regulations and aim at the fulfilment of the obligations undertaken by the Government of India in ratifying what are known as the Washington and Geneva Conventions. For a fuller appreciation of the Regulations, therefore, it would be useful, at the outset, to give a brief historical sketch and explain at some length the relevant provisions of these Conventions.

50. **Summary of Washington Convention.**—The International Labour Organisation was created by Part XIII of the Treaty of Versailles, and the first Conference of this Body was held in Washington in 1919 where the Hours of Work Convention was adopted. The full text of this Convention will be found in Appendix X: here it will suffice to explain the important Articles relevant to the present inquiry.

51. Article 1 defines industrial undertakings as including *inter alia* mines, quarries, factories, construction or maintenance of a railway, building, bridge, etc., and transport of passengers and goods by rail.

52. Article 2 enjoins that the working hours of persons employed in industrial undertakings shall, with a few exceptions, be limited to 8 in the day and 48 in the week. The exceptions are persons holding positions of supervision or management or those employed in a confidential capacity. Further where persons are employed in shifts, the daily or weekly limits may be exceeded provided that the average number of hours over a period of three weeks or less does not exceed the limit of 48 hours per week.

53. Article 3 permits the limit of working hours fixed in Article 2 to be exceeded in cases of accident, urgent work to be done to machinery or plant or "*force majeure*" but only so far as may be necessary to avoid serious interference with the ordinary working of the undertaking.

54. Article 4 permits the limit prescribed in Article 2 to be exceeded in processes required by reason of the nature of the process to be carried on continuously by a succession of shifts provided that the working hours shall not exceed 56 in a week on the average. This Article was probably meant to apply only to processes, which are continuous because of technical necessity, *e.g.*, public utility services such as gas, electricity and waterworks, blast furnaces, etc., and was not meant to be invoked in industries such as transport and communications.

55. Article 5 permits the averaging of the hours of work prescribed in Article 2 over a longer period of time but only in exceptional cases and then too by an agreement between the workers' and employers' organisations.

56. Article 6 empowers the competent authority, *inter alia*, to make permanent exceptions in the case of workers whose work is essentially intermittent and temporary exceptions when necessary to cope with exceptional pressure of work. Any regulations made in this behalf must, however, fix the maximum of additional hours in each instance and provide for the grant of overtime at a rate not less than $1\frac{1}{4}$ times the regular rate. In this connection it has been held that the grant of overtime was contemplated only when extra hours were worked in addition to regular and authorised hours and not when longer hours were formally permitted as might be done in the case of persons whose work is essentially intermittent.

57. Article 9 makes special provision for Japan while Article 10 which directly concerns us provides that "in British India the principle of a 60-hour week shall be adopted for all workers in the industries at present covered by the Factories Act administered by the Government of India, in mines and in such branches of railway work as shall be specified for this purpose by the competent authority."

58. Article 11 exempts, for the time being, China, Persia and Siam from the scope of the Convention.

59. Article 14 permits the operation of the provisions of the Convention being suspended in the event of war or emergency endangering the national safety.

60. **Article 10 of the Convention applicable to India.**—A fuller explanation of Article 10 which is the operating Article, so far as India is concerned, will not be out of place. This Article was inserted on the recommendations of a Commission on Special Countries as contemplated in Article 405 of the Treaty of Versailles which recognised that "differences of climate, habits and customs, or economic opportunity and industrial tradition made strict uniformity in the conditions of labour difficult of immediate attainment". The Report of the Commission is reproduced in Appendix XI. The operative part of the Report is as follows:—

> "The Commission is of the opinion that the present Conference can legislate usefully only with regard to large industrial undertakings such as are already within the scope of the Factories Acts and mines. With regard to these (*i.e.* all industries at present under the Factories Act, mines and certain branches of the Railway and iron works) the Commission recommends that the Government of India should be asked to adopt the principle of a 60-hour week."

The Chairman of the Commission in presenting its report at the Conference said that in India the working day was of about 12 hours though in many industries the hours were less. The Commission had had very little time in which to get accurate information to justify them in binding themselves as to the application of an eight-hour day in the immediate future. Mr. Joshi, the workers' delegate, observed that personally he did not approve of excluding India from the 48-hour week and felt that Indian workers would produce in 48 hours what was required in a 60-hour week. But he recognised that the country as a whole might not accept this view and for practical considerations temporarily concurred in the Commission's report. He expressed his pleasure at the reduction of hours from 72 to 60 and congratulated Government delegates for putting forward this proposal.

61. **Summary of the Geneva Convention.**—Turning now to the Geneva Convention, its text will be found in Appendix XII. This Convention was adopted at the General Conference held in Geneva in 1921 and aimed at providing weekly rest in industrial undertakings. The term "industrial undertakings" was defined in Article 1 in the same sense in which it was used in the Washington Convention.

62. Article 2 provides for the grant of a period of rest comprising at least 24 consecutive hours in every period of seven days to persons employed in industrial undertakings. This was apparently based on Article 427 of the Treaty of Versailles suggesting the adoption of a weekly rest of at least 24 hours which should include Sunday, wherever possible. The Chairman of the Sub-Commission which had been appointed to draft the Convention, in presenting its report, said that the Convention embodied the principle of one day's rest in seven.

63. Article 4 permits total or partial exceptions (including suspensions or diminutions) from the provisions of Article 2, special regard being had to all proper humanitarian and economic considerations. The Sub-Commission had attempted to draw up a list of such exceptions but this proved impossible as some countries insisted on the inclusion of some industries which other countries desired to exclude, e.g., Railways.

64. Article 5 requires that provision shall, as far as possible, be made for compensatory rest for the suspensions or diminutions made in virtue of Article 4. While affirming the principle of compensatory rest, the Conference recognised that it might be necessary to take into account technical or other difficulties which might prevent its grant in certain cases.

65. **Ratification of the Conventions by India—Enactment of the Indian Railways (Amendment) Act, 1930.**—The Washington and Geneva Conventions were ratified by the Government of India in 1921 and 1923 respectively. As we can see, one was complementary to the other. After the ratification of the two Conventions, the Factories Act of 1911 was modified in 1922 and the Mines Act was re-enacted in 1923 in order to bring them into conformity with the provisions of the Conventions. This measure presented little difficulty, so far as railway workshops were concerned, as there were few, if any, workshops in which the weekly hours of work exceeded 60—indeed in the majority they were appreciably below this limit—while all workshops were closed on Sundays, giving the workmen the stipulated weekly rest. The application of the Conventions to other branches of the railway, however, presented peculiar difficulties. In 1924 and 1925 the Railway Board enlisted the assistance of the Indian Railway Conference Association who, after a great deal of deliberation, produced a set of rules in 1927. These rules were discussed by the Railway Board with the Agents of railways at successive meetings. But it soon became apparent that executive orders would not be sufficient and that legislation would be necessary, more specially to secure the application of the provisions of the Conventions on Company-managed Railways. A short bill was, therefore, introduced in the Legislative Assembly in September 1929. This was in the nature of an enabling Act in that it merely empowered the Governor General in Council to make statutory rules regarding hours of work and periods of rest of railway servants. The Bill was referred to a Select Committee where is was considerably enlarged so as to include the principles of the Conventions which, it was originally intended, should find a place in the Rules. The amended Bill was passed in the Legislative Assembly in February 1930 and in the Council of State in March 1930 and became the Indian Railways (Amendment) Act, 1930. This Act was soon followed by the Hours of Employment Rules made by the Governor General in Council under the power vested in him by the Act and later by Subsidiary Instructions issued by the Railway Board which, though in the nature of executive instructions, were calculated to interpret and amplify the Act and the Rules so as to clarify the policy of the Government of India on the subject.

66. **Brief Summary of the Regulations.**—The combined text of the Act, the Rules and the Subsidiary Instructions which, as said earlier, are collectively referred to as the Hours of Employment Regulations is given in Appendix XIII. Though the Regulations were inspired by the Washington and Geneva Conventions, they make no mention of the latter and must, therefore, be interpreted and applied as they stand, having regard, however, to the spirit as well as the letter thereof. The salient features of the Regulations are discussed below

67. **Scope.**—Section 71B of the Act gives the Governor General in Council power to make rules prescribing the classes of railway servants to whom the Act shall apply, and it will be seen that Rule 3 makes the provisions of the Act applicable, with a few exceptions, to practically all staff other than those governed by the Factories and Mines Acts. The exceptions are:

(a) Running staff, which term for this purpose includes not only Engine Crew, Guards and Brakesmen but Travelling Van Checkers and Porters, Travelling Ticket Examiners, Travelling Stores Delivery Staff and other staff who habitually work on running trains;

(b) Chowkidars or watchmen, watermen, sweepers and gate-keepers whose employment is declared by the Head of a Railway to be essentially intermittent and of a specially light character; and

(c) Persons holding positions of supervision or management or those employed in a confidential capacity.

Exception (a), *viz.*, of the Running staff, was intended to be only temporary, pending further investigation and solution of the practical difficulties involved in the application of the Hours of Employment Regulations to such staff. The emoluments of engine crew, and guards, for instance, are made up of a basic rate of pay plus running allowances, and until the existing structure and rates of the running allowances are considerably modified, a limitation in their working hours would obviously affect their emoluments and cause discontent. Exception (b) was designed to cover unimportant stations and level crossings where it might be considered uneconomic to employ more than one Sweeper, Waterman, Chowkidar or Gate-keeper; while exception (c) *viz.*, of supervisory and confidential staff, follows the lines of Article 2(a) of the Washington Convention

68. It may be argued from the phraseology of Article 10 of the Washington Convention read with the Report of the Commission on Special countries that the original intention of the said Article was to limit its application to those branches of railway work which fell under the Factories and Mines Acts. If this view were accepted, the amendments of the Factories and the Mines Acts made in 1922 and 1923 respectively would have been sufficient to implement the obligations of the Government of India in ratifying the Conventions. The Government of India, however, decided to interpret the Convention liberally with reference to the underlying humanitarian principles. Again Article 1 of the Washington Convention, in its last sentence, permits the competent authority to define the line of division which separates industry from commerce. It was felt, however, that there would be distinct objections to any attempt to separate commercial staff from transportation staff of railways, for this purpose. There could, for instance, be no justification for discriminating between an Assistant Station Master and a Booking Clerk, both working side by side, and the anomaly would become still more apparent where, as at small stations, the Station Master or the Assistant Station Master also functions as a Booking Clerk. In Europe also the distinction between industrial and commercial staff, as visualised in Article 1 of the Convention, does not appear to have been made on railways. Accordingly as we have seen, Rule 3 gives a comprehensive list of the classes of staff to whom the Hours of Employment Regulations are made applicable and names practically all branches of railways outside railway workshops, the only exceptions being a few very small and minor branches such as railway schools and marine branch.

69. **Classification of Staff.**—Under Section 71A of the Act, the employment of railway servants is classified as "essentially intermittent" when it has been declared to be so by the Head of a Railway on the ground that it involves long

periods of inaction during which the railway servant is on duty but is not called upon to display either physical activity or sustained attention. The employment of other railway servants governed by the Hours of Employment Regulations is in common parlance referred to as "continuous".

70. The phrase "essentially intermittent", as we have seen, appears in Article 6 of the Washington Convention which permits the permanent exclusion of such staff, and Article 10 which applies to India expressly permits recourse to Article 6 in modification of the principle of a 60-hour week.

71. The definition of "essentially intermittent" employment given in Section 71A is based on the conclusions reached by the Conference of Ministers of Labour of certain European countries held in London in March 1926. In certain foreign countries the criterion adopted for the classification of staff as essentially intermittent was expressed in terms of the number of trains handled. This method was ruled out by the Railway Board as passenger trains, for instance, are grouped at many stations at certain periods of the day and it may be possible for staff to pass a number of trains and yet to have long periods of inaction in a 12-hour shift of duty. Then again the amount of work which is to be performed by the station staff in connection with different types of trains varies very considerably at different places. For example, at a roadside station with little goods traffic the staff would only have to perform about 45 minutes' work in connection with each train whereas at a neighbouring station where goods booking is heavy and wagons have to be attached and detached, the amount of work to be performed by the station staff would be considerably greater. It has also to be remembered that while all trains passing a station affect some of the staff, *e.g.*, Station Master, Assistant Station Master, points and signal staff and Cabinmen, it is only the trains stopping at stations which affect other classes such as shunting staff, Trains Clerks, Ticket Collectors, Luggage Porters, Watermen, etc. Moreover, the passenger and goods trains do not give the same amount of work to the same classes of staff and the number of goods trains may vary from day to day over a particular section.

72. Having regard to all these considerations, it was considered necessary to take the periods of inaction involved in any employment to determine its classification. Under subsidiary Instruction 1, the employment of a railway servant may not be classified as essentially intermittent unless his daily period of duty includes (a) two or more periods of inaction of not less than half an hour each aggregating not less than two hours in all, or (b) periods of inaction aggregating not less than 4½ hours. It is obvious that in order to ascertain whether the work of a railway servant is essentially intermittent or not, it is necessary to consider each individual post and it would be quite wrong to generalise with regard to a whole class or category as the conditions would vary at different stations. There will moreover be border-line cases which must be settled on their merits.

73 **Hours of Employment.**—Under Section 71C of the Act which purports to give effect to the provisions of Article 10 read with Article 6 of the Washington Convention, the maximum hours of duty of persons whose employment is continuous are 60 a week on the average in a month and of those whose employment is essentially intermittent, 84 a week. In the case of persons whose employment is essentially intermittent the practice on most continental railways is to adopt a system of equated hours by taking the hours of effective work plus an allowance for mere presence on duty. The possibility of adopting a similar method on Indian railways was considered by the Government of India, the advantage of this arrangement being that it would enable Article 10 of the

Convention to be applied to essentially intermittent workers without recourse to the provisions of Article 6. It was soon realised, however, that the precision with which the hours of actual work were recorded in highly organised countries was not yet possible under Indian conditions, and it was therefore decided, agreeably to the provisions of Article 6, to fix a higher limit of weekly hours of duty for persons whose employment is declared to be essentially intermittent.

74. It will be seen that in the case of continuous workers the averaging of the weekly hours over the month has been permitted. This does not militate against the *principle* of a "60-hour week" prescribed in Article 10, and although this Article does not expressly permit recourse to the other Articles of the Convention with the exception of Articles 6 and 7, it was considered that it could hardly have been the intention to preclude the adoption of the principles underlying the other Articles, *e.g.*, Article 3 permitting longer hours of work in accidents, Article 14 allowing suspension of the provisions of the Convention in the event of war, etc., It will be noticed that Articles 2(c) and 5 of the Convention permit of the averaging of the eight-hour day under certain conditions. In the Indian Railways (Amendment) Act the period chosen for averaging the 60-hour week is one month, in order to facilitate the execution of certain periodic duties such as the submission of monthly returns and the preparation of monthly bills of pay and overtime. This averaging over a period of a month also prevents the statutory limit being exceeded as a result of slight casual fluctuations in traffic. In the case of persons whose employment is essentially intermittent, however, it was considered necessary on humanitarian grounds not to allow any averaging of the weekly limit of 84 hours.

75. **Periodic Rest.**—Under Section 71D which aims at implementing the Geneva Convention, a railway servant other than one whose employment is essentially intermittent, shall be granted each week commencing on Sunday, a rest of not less than 24 consecutive hours. It will be noticed that the rest period is not necessarily a calendar day. This has enabled Railway Administrations to frame rosters under which the vast majority of continuous workers employed in a continuous process work for eight hours (or more) on every calendar day and yet enjoy at least 24 consecutive hours' rest once in a week. The grant of such weekly rest has entailed what is known as a "long-on" or a "short-off". As we shall see later, this method is apt to be regarded as a device adopted to avoid the employment of additional staff and has evoked considerable opposition and bitterness.

76. Persons whose employment is essentially intermittent have been made total exceptions as permitted by Article 4 of the Geneva Convention and have been excluded from the grant of a statutory weekly rest.

77. In accordance with the same Article a partial exception has been made in the case of artisans and unskilled labour employed on lines under construction who are given, under Rule 6, at least one period of rest of not less than 48 consecutive hours or two periods of rest of not less than 24 consecutive hours each in a month. Further in the case of artisans and unskilled labour employed for temporary purposes on open lines and Mates, Keymen and Gangmen employed on the maintenance of permanent way, Rule 6A provides for the grant of a calendar day's rest in each week, or at the discretion of the Railway Administration, an equivalent number of consecutive days upto a limit of three.

78. **Temporary exemptions from the limitation of hours of work and grant of periodic rest.**—Under Sections 71C and 71D temporary exemptions may be made from the provisions of weekly hours and periods of rest (a) when it is necessary to avoid serious interference with the ordinary working of a railway *e.g.*, in cases of accidents etc., or (b) in cases of exceptional pressure of work not falling within the scope of clause (a), provided that a railway servant shall be paid for overtime at not less than 1¼

times his ordinary rate of pay if exempted from the provisions respecting hours of work under clause (b) and shall as far as possible be granted compensatory periods of rest, if his weekly rest is suspended. Rule 7 further stipulates that in no case shall an employee who is eligible for weekly rest be required to work for 21 days without a rest of at least 24 consecutive hours.

79. The Head of a Railway may delegate the power to make temporary exemptions to authorities subordinate to him—a delegation which was considered essential specially in the case of accidents, when the railway official on the spot must have power to grant exemptions from the provisions respecting the working hours and the weekly rest.

80. I will be noticed that overtime is not payable under the Act when the hours of work are extended to avoid serious interference with the working of the railways, *e.g.*, in cases of accidents, but only in cases of exceptional pressure of work in other circumstances. This is in accordance with Articles 3 and 6(b) of the Washington Convention. The Regulations, however, were not intended to affect any existing orders regarding overtime which might be more favourable to the employees. The provision for a rate of one and a quarter of the ordinary rate of pay was taken from Article 6 of the Washington Convention. It has always been the general practice to entertain or depute additional staff, as far as possible, to cope with exceptional pressure of work and the economic implications of the special overtime rate prescribed in the Regulations tend to make the practice still more universal.

CHAPTER V.—REVIEW OF THE PRESENT POSITION IN RESPECT OF THE OBSERVANCE OF THE HOURS OF EMPLOYMENT REGULATIONS ON THE VARIOUS RAILWAYS.

81. The salient feature of the Hours of Employment Regulations have been set forth in the previous chapter and before considering, with reference to items (1) and (2) of the terms of reference, what improvements, if any, should be made, it would be useful to make a general review of the present position on the various railways in respect of the observance of the two basic provisions of the Regulations, namely, hours of work and periodic rest.

82. **Dates of introduction of the Regulations on Railways.**—The Hours of Employment Regulations were applied to the N.W. and E.I. Railways in 1931, the G.I.P. Railway and the E.B. Railway (since merged into the B.A. Railway) in 1932, the B.B. and C.I. and M. and S.M. Railways in 1935, the B. and N.W. Railway (since merged into the O.T. Railway) in 1937, the Rohilkhand-Kumaon Railway (since merged into the O.T. Railway) and the S.I. Railway in 1940 and the A.B. Railway (since merged into B.A. Railway) and the B.N. Railway in 1941.

83. The Governor General in Council had power under the Indian Railways (Amendment) Act, 1930, to determine the date on which the Regulations would be applied to each Railway and naturally a considerable amonut of spade work had to be done before the statutory rules could be enforced on various railways, Even so, this delay in the introduction of the Regulations aroused considerable discontent and afforded an easy target for attack by the Railway Unions, especially as the Washington and Geneva Conventions had been ratified by the Government of India as far back as 1921 and 1923. We are, however, concerned with the present and the future and not with the past except in so far as it throws light on the present.

84. **Summary of the main provisions of the Hours of Employment Regulations.**—A perusal of Rule 3 of the Hours of Employment Rules, 1931 (Appendix XIII) will show that the Regulations apply, save with the exceptions mentioned in sub-rule (2), to practically all classes of Railway servants. I say "practically" for there are a few minor classes such as school and certain marine staff

who are not covered by that Rule. Otherwise the Hours of Employment Regulations apply to all railway servants other than those covered by the Factories and Mines Acts, subject to the following exclusions:—

(a) Running Staff;

(b) Those Chowkidars or Watchmen, Watermen, sweepers and gate-keepers whose employment is declared by the Head of the Railway to be essentially intermittent and of a specially light character; and

(c) Persons who hold positions of supervision or management, or are employed, in a confidential capacity.

85. The degree of protection under the Regulations depends, however, upon the classification of the staff. A continuous worker has his hours of employment limited to 60 a week on the average in any month and an essentially intermittent worker to 84 a week. The former enjoys in addition, the privilege of a weekly rest of not less than 24 consecutive hours to which the latter is not entitled. Those who are excluded, *vide* clauses (a), (b) and (c) above, do not get any statutory protection under the Rules.

86. **Importance of correct classification—Likely points of difference between Railways and workmen.**—The correct classification of the staff is, therefore, a matter of vital significance, and this receives the constant care of the Labour Inspectorate, now functioning under the Chief Labour Commissioner. The Annual Report of the Chief Labour Commissioner for the year 1945-46, like its predecessors, stesses the importance of this point and observes that "it is not surprising that differences of opinion on this question should frequently arise between Railway Labour and the Administrations. It may not be unnatural if in the matter of meeting the demands for changes in classification, the Administrations do not always see eye to eye with the employees since this generally means extra expenditure to them". The points on which differences over the interpretation and application of the existing law are likely to arise are:—

(1) Are the staff classified as essentially intermittent correctly so classified?

(2) Is the employment of Chowkidars or Watchmen, Watermen, Sweepers and Gate-keepers, who are excluded, really so light as to warrant their exclusion?

(3) Do the persons who are excluded on the ground of being supervisory hold positions of supervision or management in the sense contemplated in the Regulations; in other words, is their exclusion justified?

87. **Defects in Subsidiary Instruction No. 1 regarding definition of essentially intermittent workers and present practice.**—Under Section 71-A of the Indian Railways (Amendment) Act, 1930, the employment of a person must involve long periods of inaction during which he is on duty but is not called upon to display either physical activity or sustained attention before it can be classed as essentially intermittent. Subsidiary Instruction No. 1 further requires that a person whose employment is so classed must have during his daily period of duty—

(a) two or more periods of inaction of not less than half an hour each aggregating not less than 2 hours in all; or

(b) periods of inaction aggregating not less than 4½ hours.

The Railway, Administrations have also instructions that the classification of each post shall be examined on its merits, having regard to the volume of the work involved. The usual practice on railways is to apply formula (b) but cases were reported of recourse to formula (a) on the O.T., M. and S.M. and S.I. Railways. The witnesses examined on behalf of, and the officers who represented these railways in the Adjudication proceedings admitted that under this formula persons with effective work of 9 or 10 hours in a 12 hours' shift could and would be classed as intermittent; in other words, such persons were being called upon to do effective work for a longer period than even continuous workers and were in addition required to remain present at the post of duty for an extra 2 or 3 hours a day and deprived of a weekly rest.

88. The Railway Board in their letter No. E45G17(L), dated 9th February 1946, recognised this defect in the formula which would render it possible, in border line cases, to exact anything up to 10 hours of effective work from an essentially intermittent worker. Mr. Shankara Iyer, Assistant Personnel Officer, Royapuram, M. and S.M. Railway, admitted that in following this formula the Administration had complied only with the letter of the Regulations and "this may perhaps account for the complaint alleged to have been made by the Supervisor of Railway Labour that on this railway efforts are made to keep within the letter of the Regulations without due regard to the underlying humanitarian principles of the Regulations".

It was satisfactory to note that on the B.N. Railway , the Administration, anticipating such objection had issued instructions that advantage should not be taken of the first formula unless the periods of inaction aggregated 3½ hours instead of 2 as prescribed therein.

89. Most of the Railways adopt the second formula which, though otherwise more reasonable, does not by itself ensure "long periods of inaction" as required by the Act and as the provisions of the Act are of an over-riding character, this formula must be regarded as supplementing and not superseding the Act. The Railway Administrations have, however, in many cases, taken the formula as complete in itself. Although evidence was not led on this point, it is conceivable that by a literal compliance with the formula the provisions of the Act may have been infringed. The N.W., G.I.P. and B.N. Railways, however, report that in applying this formula small periods of inaction of less than 15, 10 and 10 minutes respectively are in actual practice disregarded.

90. **No comprehensive review of classification generally undertaken since the War.**—Moreover, in recent years, there has been a tremendous increase in traffic as a result of the War and its aftermath. While *ad hoc* revision of classification was made at the instance of local officials, the Administrations, with a few exceptions here and there, did not institute any comprehensive examination in response to the changed conditions. On the B.A. Railway, however, all staff on the main line sections were in practice treated as continuous during the War though in view of the present downward trend in traffic the classification is again under review. On the B.N. and B.B. and C.I. Railways a comprehensive review was made during the war, but this was confined to train passing staff on the B.N. Railway and the Medical and Stores Departments on the B.B. and C.I. Railway. On the S.I. Railway alone a comprehensive review embracing the major departments, namely, Transportation, Commercial and Mechanical, is reported to have been made. There is also reason to believe that even when requests for additional staff were conceded by the competent authority, a formal revision of classification from essentially intermittent to continuous, or from excluded to essentially intermittent was not always ordered. Even when it was, the order was not in some cases implemented by the provision of additional staff. For instance, a parcel clerk

on the S.I. Railway was ordered to be classified as continuous on 24th July 1946, but as the administration was not in a position to send an additional hand to the station till 24th January 1947, the parcel clerk though classified as continuous had for six months to work for 12 hours a day—without any payment for overtime though now the Administration has agreed to consider his case for overtime payment. It is probable that there have been many other similar cases of employees required to work beyond the limits contemplated in the Hours of Employment Regulations without receiving overtime payment due to them, when, due to the acute difficulties of recruitment experienced during the war, the additional staff sanctioned was not forthcoming.

91. **Complaints of combined duties being disregarded in determining classification.**—Again it was urged by Railway Unions and their witnesses that a worker at a wayside station had, as a rule, to do combined duties, the same person often functioning as S.M., Booking Clerk, Ticket Collector, Signaller and Goods Clerk, all rolled into one, and was yet classed as essentially intermittent. The Administrations contend that credit is allowed for such varied duties in determining the periods of inaction before a man is so classed. It is difficult without an extensive job-analysis to pronounce a definite opinion on this point, though on a local inspection of the work at a few such stations on the B.N. Railway, I was generally satisfied with the present classification, despite the varied duties performed.

92. The case of watermen, sweepers, and chowkidars now excluded on the alleged ground that their employment is of a specially light character deserves special mention. It was suggested that at certain way-side stations they were excluded on the ground that the duties connoted by their designation were specially light and because this was so, they were saddled, with other work, such as handing over of line clear, loading and unloading or watch and ward and yet left out as "excluded". The earlier reports of the Supervisor of Railway Labour also referred to watermen, chowkidars and sweepers whose work as such was very light, but who were sometimes employed for certain hours of the day for other duties. Complaints on this score were made by responsible witnesses in the course of the evidence led before me, and some of them suggested that in such cases the designation of the staff should be altered and in any case they should not be excluded from the Regulations. During my inspection of Ramtek, a small station on the B.N. Railway, I noticed that there was a sweeper who looked after an adjoining station as well and yet was "excluded". To quote the opinion of Major (now Colonel) Wagstaff "in these circumstances there is no justification for excluding him from the scope of the Regulations".

93. **Incorrect classification as "Supervisory".**—In the course of evidence, instances were also mentioned of staff wrongly excluded as supervisory, *e.g.*, Block Inspectors on the B.N. Railway, and Inspectors of Wireless Maintenance on the M. and S.M. Railway, who themselves attend to defects in instruments without skilled assistance and are excluded merely because they are designated as "Inspectors". In my opinion this term was used by the Railway Board as referring to men who had to inspect the work of other people under them and had therefore comparative latitude in regulating their own work. On certain other Railways the staff corresponding to Block Inspectors of the B.N. Railway are called "Block Maintainers" and as such, are rightly placed within the scope of the Regulations.

94. **Powers exercised by lower officials than the competent authority.**—There has been an infringement in another direction too. As a safeguard the Act reserves in the hands of the Head of the Railway the power to exclude inferior staff under clause (b) of sub-rule (2) of Rule 3 or to class a person as essentially

intermittent under Section 71-A, while by subsidiary Instruction No. 4 the Railway Board limited the exclusion of staff as supervisory to a specific list issued by them. On several railways, however, *e.g.*, the B.A., B.N., E.I., M. and S.M., and S.I. Railways, the power which was meant to be exercised by the General Manager has been, as a matter of convenience, used by lower authorities although the Regulations provide for no such delegation. On the N.W. Railway the General Manager was content to approve of the initial classification made in or about the year 1931, leaving subsequent changes to officers of junior rank to deal with. The G.I.P., B.B. and C.I., and O.T. Railways are the only ones which claim to have adhered to the provisions of the Act in this respect. With regard to supervisory staff certain Administrations have freely added to the list issued by the Railway Board, the chief offenders being the E.I. and M. and S.M. Railways. When questioned on this point, the M. and S.M. Railway representative argued, wrongly in my opinion, that the General Manager had power to add to the list provided that correct principles were followed. These breaches of the Regulations may seem technical but are not purely so for it is quite conceivable that if the power had been exercised by the higher authority as laid down, a wider view, more consistent with the spirit of the Regulations, would have been taken. As it is, even Mistries, Head Watchmen and Head Clerks have on certain railways been treated as supervisory and denied the protection afforded by the Regulations.

95. **Appeals to Railway Board not always forwarded.**—The Hours of Employment Regulations also allow a right of appeal to the Railway Board against any order of a General Manager classifying an employee as intermittent or excluding an inferior servant on the ground that his duties are of a specially light character *vide* Rules 3(3) and 4(2). The Railways were asked whether any such appeals were received and forwarded to the Railway Board, but the replies received on this point were none too satisfactory. The B.N. Railway for instance said that a few appeals were received, but that they were not referred to the Board as there were no controversial points. The E.I. Railway replied that it was within the competence of the General Manager to deal with such appeals. On the O.T., B.B. and C.I., and M. and S.M. Railways also such appeals were disposed of locally, but unless they were accepted, which was not clearly stated, they should have been forwarded to the Railway Board. The N.W.R. had received one appeal so far but did not say how it was disposed of.

96. **Cases of wrong or doubtful classification taken up by the Labour Inspectorate.**—Cases of incorrect or doubtful classification are taken up by the Labour Inspectorate, but the Chief Labour Commissioner in his report for the year 1945-46 refers to the paucity of Labour Inspectors and consequently the limited number of inspections conducted. The following statement shows the number of establishments inspected by the Labour Inspectors and the number of cases of wrong or doubtful classification taken up with the Railway Administrations during the years 1944-45 and 1945-46:

Railways	No. of establishments inspected		Cases taken up as open to doubt		Cases challenged	
	1944-45	1945-46	1944-45	1945-46	1944-45	1945-46
1	2	3	4	5	6	7
1. N. W.	1,007	785	2	2	20	14
2. E. I.	549	279	5	15	24	27
3. B. A.	721	500	6	9	28	6

1	2	3	4	5	6	7
4. B. N.	414	234	2	1	6	1
5. G. I. P.	276	178	2	0	6	7
6. B., B. & C. I.	838	808	5	0	20	10
7. M. & S. M.	663	537	0	1	4	12
8. S. I.	732	601	1	4	3	11
9. O. T.	385	447	5	6	8	17
Total	5585	4369	28	38	119	105

Although the Labour Inspectorate certainly serves as a powerful moral check, the more so as it now functions independently of the Railway Department, the Unions rightly pointed out—and this view was endorsed by the witnesses of the Labour Department—that the machinery provided is inadequate to cope with the magnitude of the task.

97. **Over-all Ratio of classification on Railways.**—I shall now proceed to examine the ratio of classification of railway servants under the Hours of Employment Regulations. The following statement shows the number of staff and percentages of classification on the Railways as a whole for the triennium ended 31st March 1946:—

Staff.	1943-44		1944-45		1945-46	
	No. in thousands	Percentage.	No. in thousands	Percentage	No. in thousands	Percentage
Continuous workers	379	66·6	437	67·2	477	69·4
Essentiall intermittent workers	113	19 8	125	19·2	119	17·4
Excluded.						
Running	46	8·1	52	3·1	55	8·0
Inferior	17	3·0	20	3·1	20	2·9
Supervisory, etc.	14	2·5	16	2·4	16	2·3
Total	569	100·0	650	100 0	687	100·0

On the whole this table reveals a gradual upgrading of the staff and the annual reports of the Chief Labour Commissioner also testify to certain improvements made by the Administrations on the advice of the Labour Inspectorate in recent years. While some of these affected individual stations, there were others which embraced the whole cadre of the staff concerned. For example, watchmen in the Engineering Department on the G. I. P. Railway were at first mostly excluded, a small proportion being essentially intermittent, but as a result of the intervention of the Labour Inspectorate, their classification was improved during 1944-45. Similarly Station Masters at roadside stations on the E. I. Railway were originally treated as supervisory—hence excluded—but in the year 1945-46 the classification was altered as continuous wherever necessary.

98. **Ratio of classification on various railways compared.**—I shall now proceed to make a comparative review of the existing classification on the various railways. I am indebted to the annual report of the Chief Labour Commissioner for the year 1945-46 for the following statement indicating the total staff falling under the Regulations and the percentages of classification as on 31st Mrch 1946:—

Railway	Continuous 'C'		Essentially Intermittent 'E. I.'		Excluded 'E'								Total Staff falling under H.E.R.
					Running Staff		Inferior Staff		Supervisory Staff		Total		
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	
1. N. W.	70,758	72·7	14,621	15·0	6,678	6·9	3,267	3·3	1,957	2·1	11,902	12·3	97,281
2. E. I.	81,818	69·8	14,810	12·6	12,183	10·4	4,959	4·2	3,459	3·0	20,601	17·6	1,17,2
3. B. A.	1,01,216	80·4	12,104	9·7	7,795	6·2	3,025	2·4	1,690	1·3	12,510	9·9	1,25,830
4. B. N.	53:202	69·3	14,376	18·7	6,136	7·9	1,335	1·8	1,746	2·3	9,217	12·0	76,795
5. G. I. P.	62,932	67·4	19,111	20·5	7,516	8·0	1,647	1·8	2,162	2·3	11,325	12·1	93,368
6. B. B. & C. I.	39,194	65·6	12,690	21·2	3,627	6·1	2,524	4·2	1,715	2·9	7,868	13·2	59,750
7. M. & S. M.	23,912	54·3	13,295	30·2	4,677	10·6	939	2·1	1,194	2·8	6,810	15·5	44,017
8. S. I.	23,977	61·8	9,991	25·7	3,322	8·7	225	·6	1,256	3·2	4,803	12·5	38,771
9. O. T.	19,846	58·4	8,303	24·4	3,301	9·7	1,890	5·6	650	1.9	5,841	17·2	33,990
Total	4,76,855	69·4	1,19,301	17·4	55,235	8·0	19,811	2·9	15,829	2·3	90,875	13·2	6,87,031

99. So far as the ratio of continuous staff is concerned, the pride of place goes to the B. A. Railway where it is 80·4 per cent., the runner-up being the N. W. Railway (72·7 per cent.), with the E. I., B. N., G. I. P., B. B. & C. I. and S. I. Railways following close behind one another with a ratio of 69·8, 69·3, 67·4, 65·6 and 61·8 per cent. respectively. The B. A. Railway improved its position during 1945-46, its position in 1944-45 being 3rd with a ratio of 69·9 per cent. The O. T. and M. & S. M. Railways stand last with a ratio of 58·4 and 54·3 per cent. respectively. Conversely the ratio of intermittent staff is highest on the M. & S. M. Railway, being 30·2 per cent. as against 9·7 per cent. on the B. A. Railway and 12·6 to 25·7 per cent. on the other railways. With regard to excluded (inferior) staff, the S. I. Railway comes off best with a ratio of 0·6 per cent. only and the O. T. Railway worst with a ratio of 5·6 per cent., the percentage on the other railways varying from 1·8 (B. N. and G. I. P.) to 4·2 (E. I. and B. B. & C. I.). In so far as excluded (supervisory) staff is concerned, the position is most favourable on the B. A. Railway where its percentage is only 1·3 per cent., the O. T. Railway standing next with 1·9 per cent. while on the other Railways it ranges from 2·1 to 3·2.

100. This considerable divergence in the ratio of classification on the various railways attracted the attention of the Railway Board and as pointed out in their letter No. E-45-G17(L), dated 9th February 1946, "it can hardly be accounted for by different traffic conditions and it is clear that there is considerable divergence in the interpretation of the law".

101. **Classification of important categories on different Railways compared-Position on each Railway summed up.**—A detailed job analysis will in any case be necessary on each railway on the announcement of the Award in the present Adjudication and it will assist individual Railways if the comparative percentages are analysed by branches and categories of staff. Accordingly a statement showing the ratio of classification by categories in the various departments and railways is given in Appendix XIV. The same information in an abridged form is given for a few prominent categories as an Annexure to this chapter, with the figures indicative of a particularly unfavourable ratio printed in italics. Here it would suffice to sum up the position on various Railways with the points which deserve special notice.

(1) **B. A. Railway.**—This Railway emerges with credit from the review, having all round a more favourable ratio than the overall percentages. The Administration says that during the war there was a large scale upgrading but in view of the downward trend in traffic the classification is under review again. This review would now naturally be contingent on the announcement of Government's decision on my Award.

(2) **N. W. Railway.**—The ratio of excluded inferior staff is on the high side, being 3·3 per cent. as against the overall percentage of 2·9. The classification of Pointsmen—31 per cent. continuous and 69 per cent. intermittent—also seems unfavourable. For the rest this Railway stands second in the ratio of continuous staff.

(3) **E. I. Railway.**—While the ratio of continuous workers on this railway compares favourably with the overall ratio and is indeed highest for several categories in the Traffic Department, the percentage of excluded staff, both inferior and supervisory, is on the high side, being 4·2 and 3 per cent. against an average ratio of 2·9 and 2·3 per cent respectively. In the following cases the classification appears incorrect:—

(a) Gunners, Head, Watchmen, Boiler-makers, Fitters and mistries—as supervisory. Even with regard to Station Masters, the ratio of supervisory staff, nearly 20 per cent., seems too high.

(b) Engineering Mates, Carriage and Wagon Cleaners, Coal Coolies and Steam Raisers, Waiting Room Bearers and Running Room Staff—as excluded (inferior).

(4) **B. N. Railway.**—While the ratio on the whole is about the same as the average ratio all round, the classification of Station Masters, Booking Clerks, Goods Clerks, and Sweepers seems unsatisfactory. On the other hand the ratio in the case of Pointsmen and Gatemen is favourable.

(5) **G. I. P. Railway.**—The ratio of continuous staff is a little lower and of essentially intermittent staff a little higher than the average ratio of Railways as a whole. The classification of Station Masters, Station Clerks, Watermen, Engineering Gatemen, Sweepers, Ward Servants, Cooks and Loco Cleaners, leaves room for improvement.

(6) **B. B. & C. I. Railway.**—The ratio of continuous staff is lower than the average ratio and of excluded (inferior) staff much higher. The classification of Station Masters and Assistant Station Masters, Pointsmen, Cooks and Engineering Gatemen seems unsatisfactory. On the other hand it is pleasing to find that on this railway hardly any watermen at stations are excluded.

(7) **S. I. Railway.**—The ratio of excluded (supervisory) staff is highest on this Railway, and the exclusion of all Train Examiners on this score is inexplicable. The classification of Station Masters, Assistant Station Masters, Signal and Block Mistries and Cleaners, Coal Coolies and Nurses would also appear unsatisfactory. I was not a little surprised to find that even at such big stations as Egmore, Trivandrum, Trichur and Tellichery Station Masters were classed as essentially intermittent.

(8) **M. & S. M. Railway.**—On the whole, the classification on this Railway leaves much to be desired, the ratio of continuous and intermittent workers being 54·3 and 30·2 per cent. as against the average ratio of 69·4 and 17·4 respectively. From subsequent information supplied by the Administration it would appear, as shown in the Annexure to this Chapter, that as a result of a general investigation this Railway has recently improved the ratio of continuous staff in several categories, but even so, this ratio is on the low side in the following cases: Station Masters and Assistant Station Masters, Booking clerks, Goods clerks, Ticket Collectors, Engineering Sweepers, Nurses, Cooks, Coal Coolies and Carriage and Wagon Fitters.

(9) **O. T. Railway.**—In the ratio of continuous staff this railway is the lowest but one. Moreover, the percentage of excluded (infeiror) staff is the highest on this railway, being 5·6 as against the average ratio of 2·9. The classification of the following classes would appear to be unsatisfactory: Parcel clerks, Ticket Collectors, Nurses, Train Examiners, Call Boys, Box Porters, Watermen, Cooks, Artisans and Hammermen in the Engineering Department, and Signal and Block Mistries and Cleaners.

(10) The classification of lamp-men on most railways seems unsatisfactory and it is possible that due credit has not been allowed for the incidental work performed by them. Save on the S. I. Railway, Sub-Assistant Surgeons are all excluded as supervisory although the Railway Board's list authorises their exclusion only when they are definitely employed in a supervising capacity. As an example of extreme disparity of ratio on different railways, the case of Ward Servants may be cited who are cent per cent continuous on the B. N. and S. I. Railways and cent per cent intermittent on the G. I. P. Railway.

(11) It will be seen that with two exceptions, railways which were until recently under company management show a relatively low percentage of continuous staff. In this connection the following extract from the evidence of Mr. McMullen,

Traffic Inspector, who appeared as a witness on behalf of the B. B. & C. I. Railway is significant:

> "The Hours of Employment Regulations were introduced in the B. B. & C. I. Railway in 1935 and this was a time of depression and economy was the order of the day. Moreover, as the B. B. & C. I. Railway was then a Company line and the desire for dividends was naturally present in the management, it was possible that in deciding the classification of the staff while the letter of the Hours of Employment Regulations was observed, the spirit was not observed. Since 1935 there has been no comprehensive review. As particularly traffic has gone up, it cannot be said with any degree of certainty that the Hours of Employment Regulations are properly observed today on the B. B. & C. I. Railway, and therefore I agree that a comprehensive review should be undertaken as suggested by the Labour Commissioner."

I must, however, add that the suggestion that the investigation on this Railway was influenced by the desire for larger dividends was repudiated by the Deputy General Manager. Further comment on my part will be superfluous.

102. **Weekly rostered hours.**—It must be remembered that the Hours of Employment Regulations prescribe the maximum limits of duty hours per week. Within these limits the Administrations have fixed the normal rostered hours for the various categories of staff, having regard to the requirement of the service and the nature of the work. The statistics collected from Railways are rather obscure, but it would appear that the usual weekly rostered hours on most railways are:—

(1) For continuous workers employed in a continuous process: 56 to 59 as against the statutory limit of 60. In a few isolated cases where the work is regarded as very intensive, 6 hour-shifts have been introduced on some Railways, resulting in a 42-hour week, common examples being Traffic Controllers on important sections on the N. W., B. A., G. I. P., B. B. & C. I. and S. I. Raiways, Train Despatchers at very large stations on the N. W. Railway and cabin staff on the suburban section of the B. A. Railway.

(2) For continuous workers employed in a non-continuous process:

(a) Clerks in administrative offices: 33 to 44 hours. The upper limit is reached in the rosters in vogue on the B. B. & C. I. Railway where, however, clerks are permitted to leave the office some time before the end of the rostered hours if they have no arrears.

(b) Clerks employed in shops, sheds and stations, etc.: 48 to 54 hours.

(c) Goods clerks: 54 to 60 hours.

(d) Gangmen: 48 hours on M. & S. M. and S. I. Railways and 54 on the majority of the other Railways. On the B. B. & C. I. Railway the rostered hours range from 48 to 54 on the various divisions and on some divisions they are 48 in the winter and 51 or 54 in the summer.

(e) Other skilled, semi-skilled and unskilled labour in various departments and Railways: 48 to 60 hours.

(3) For intermittent workers in a continuous process: 84 hours, the work being organised in two shifts of 12 hours each.

(4) For intermittent workers engaged in a non-continuous process: 70 to 84 hours.

103. It is significant that for certain classes of intermittent staff, the rostered hours have been fixed at less than even 60 a week, although being intermittent such staff do not enjoy a weekly rest. This redeeming feature was particularly noticed as a set-off against the highest ratio of intermittent staff on the M. & S. M. Railway.

104. **Working outside rostered hours.**—Witness after witness complained of being required to work beyond rostered hours. The Chief Labour Commissioner in his report for the year 1945-46 observes that "during the war, employment of railway servants beyond daily rostered hours of duty was inevitable on all railways due to heavy calls on the entire railway system of the country and this state of affairs continued during the year 1945-46. At most of the big railway establishments, which were inspected in the year under report, a good number of staff, particularly Goods Clerks, Parcel Clerks, and Booking Clerks were found working beyond their rostered hours, and in most of these cases the staff concerned had not claimed overtime pay for fear of being declared as inefficient".

105. Categories of staff who are usually found working outside the rostered hours are:—

(1) Station Masters and Assistant Station Masters at small stations where there are only one Station Master and one or two Assistant Station Masters;
(2) Goods Clerks;
(3) Parcel Clerks;
(4) Inferior staff employed on loading and unloading work at small stations;
(5) Office clerks; and
(6) Booking Clerks.

106. With regard to Station Masters working outside the rostered hours, the annual reports on the working of the Hours of Employment Regulations show progressive improvement and it is possible that the position will further improve with full training of Assistant Station Masters as on the G. I. P. Railway. There is, however, a tendency for Station Masters and Assistant Station Masters to work beyond rostered hours in order to complete goods work. This habit is more pronounced in Goods Clerks and the annual reports of the Labour Inspectorate bear witness to the existence of "some fatal fascination about the goods-shed in the evening which keeps the clerk at work long after the hours during which public business is transacted". Indeed one of the witnesses on the N. W. R. admitted that the Goods Clerks worked outside the rostered hours very often willingly in order to oblige the merchants who were anxious to have their goods booked. This practice seems to find favour with all concerned, the Goods Clerks and the merchants as well as the Administrations as it avoids complaints from merchants. Be this as it may, the Supervisor of Railway Labour in one of his reports points out that "the complaint of clerks that it is not possible to complete the work allotted to them within the rostered hours has been found in many cases to be substantially correct". The case of the Parcel Clerks is more or less parallel to that of the Goods Clerks.

107. With regard to inferior staff at small stations they are usually classed as intermittent and are employed either in one shift or in two. "Where there are two shifts in 24 hours, the shift which is off duty is often called upon for short periods to reinforce those who are on duty in the performance of loading and unloading; while where the station is so small that only one shift (split or otherwise) is required, the men are likewise called upon for short periods to do loading and unloading outside their rostered duty hours."* On certain Railways remedial instructions have been issued, *e.g.*, to increase the number of station or travelling porters, but it is necessary that all railways should take steps to avoid such infringement.

*Report on the working of the Hours of Employment Regulations for the year 1932-33

108. In the course of evidence, office clerks also complained of over-work and Pay-sheet and certain Account Clerks, in particular, are known to be working long and excessive hours for a week or so each month. As a rule overtime does not accrue to them since the statutory limit is not exceeded. On the M. & S. M. Railway, however, office clerks are paid overtime for working beyond 225 hours in the month, 180 hours in the month being assumed as the limit of their normal work.

109. In the cases so far dealt with most of the complaints, when genuine, would appear to be due to mal-adjustment of work or inadequate strength. The Administrations should take an early opportunity to review the strength, wherever it is *prima facie* insufficient. This need was particularly felt on the O.T. Railway where, to give a small but striking instance, an inspection of the Gorakhpur Guards' Running Room showed the strength to be hopelessly inadequate, even the Traffic Inspector having lately recommended a substantial increase, *e.g.*, in cooks from 2 to 4, servers from 4 to 8 and box-boys from 2 to 6!

110. The case of Booking Clerks calls for special attention. In their case, they not only work beyond the rostered hours, but at large stations in many cases in excess of the statutory limit. Several Booking Clerks complained that they were not given credit in any shape or form for the time required by them to complete the accounts, close cash, etc. Such time on a reasonable assessment may, as a rule, be said to vary from nearly half an hour to one hour at big stations and as they generally work in 8-hour shifts on all the seven days in the week, it is obvious that the statutory limit of 60 hours would in some cases be exceeded. It is surprising that this infringement of the Hours of Employment Regulations has not so far attracted the attention it deserved. In the case of the other staff, the time for taking and making over is generally short and not so long as to cause such excess.

111. **Exemptions from limitation of working hours and over-time.**—Under sub-section (3)(b) of Section 71C of the Indian Railways Act, temporary exemptions from the provisions of sub-sections (1) and (2) are permitted provided the railway servants exempted under clause (b) shall be paid for overtime at not less than 1¼ times the ordinary rate of pay. Under Rule 4 of the Railway Servants' Hours of Employment Rules, 1931, the power to make temporary exemptions under the provisions of sub-sections (1) and (2) of Section 71C vests in the Head of the Railway who has been empowered to delegate his powers under this rule to such authorities subordinate to him as he may by order prescribe. Delegations are generally to the senior subordinate official on the spot. It must be recognised that on railway systems, spread so far and wide, it is not practicable to confine the delegation to the senior officers of the Railway. The exemptions have to be brought into play in circumstances of an emergent nature, requiring immediate action. Indeed these Railways which made an attempt in the beginning to reserve this power to senior gazetted Officers had soon to abandon the experiment. In order, however, to counter-act the unfavourable consequences of such wide delegations, local subordinates should be required to maintain detailed records of all cases of exemptions. In the report for the year 1945-46, the Chief Labour Commissioner observes that "it has been pointed out in almost all previous reports that inspite of the issue of detailed instructions by Railway Administrations, impressing upon the subordinate officers empowered in this behalf, the need for maintaining adequate records of all exemptions made, there had been a conspicuous absence of such records. However the position in this respect has improved considerably in respect of the Railways in the Western Zone and slightly in respect of the other Railways". In the case of the O. T. Railway, we found that no proper system of recording overtime work put in by the employees was maintained. Evidence was also led on certain Railways which went to confirm

the statement made in the latest report of the Chief Labour Commissioner that "often the staff concerned have not claimed over-time for fear of being declared as inefficient". This reluctance should, however, soon disappear as the staff are getting more and more conscious of their rights. Moreover, it must be borne in mind that overtime is payable under the Hours of Employment Regulations only when a person is specifically exempted from the limitation prescribed in these Regulations, in other words when he is required by his superior to work overtime beyond the statutory limit in certain circumstances. This is a salutory provision as otherwise there might be a tendency on the part of men engaged in a non-continuous process, *e.g.*, Parcel Clerks, Goods Clerks, Office clerks, etc., to slacken their pace and work longer hours to suit their own convenience and then claim overtime payment.

112. **Weekly rest.**—I shall now examine the system of weekly rest in the case of continuous workers: the others, as we have seen, are not entitled to it. For this purpose, continuous workers naturally fall into 2 broad groups, namely, (1) those engaged in a continuous process, *e.g.*, the bulk of the station staff and a proportion of the staff employed in loco sheds and in train examining depots, and (2) others employed in a non-continuous process, *e.g.*, practically all staff of the Engineering Department including Gangmen but not Gatemen, staff of the Medical Department including the Sanitation Branch and a proportion of shed staff, "sick line" staff, Goods Clerks, office clerks, etc. The latter, that is, those employed in a non-continuous process usually enjoy a substantial weekly rest which generally falls on Sunday and in some cases on other calendar days. Leaving their post of duty in the evening, they enjoy the whole of the next calendar day and then return to their work at the usual hour, after a total rest of about 38 hours or more including one full day and two nights. They also enjoy the night's rest after the normal day's work. In partial modification of the general rules on the subject Gangmen, Keymen and Mates and artisans and unskilled labour on open lines including temporary hands are entitled under Rule 6(A) to a calendar day's rest every week although this rule allows such rest to be left over to accumulate upto a limit of three days. In actual practice such staff generally get a calendar day every week. Labour employed on lines under construction is, however, entitled to rest on a reduced scale, that is, one period of not less than 48 hours or two of not less than 24 hours each, in a month.

113. Continuous workers employed in a continuous process are, however, severely handicapped in the matter of weekly rest. This is in some way inherent in the nature of their employment which does not admit of the suspension of business during the night. It has been made possible partly by the weekly limit of the hours of duty being fixed at 60 and partly by the convenient phrase "24 consecutive hours' rest" used in the Regulations—convenient as an economical device but, as experience has shown, most inconvenient from the point of view of the staff. Relying on this phrase, the Administrations have generally been able to provide 24 consecutive hours' rest to continuous staff employed in a continuous process without employing additional hands by rostering such staff to work on all the seven days and exacting from them a heavy price for their so-called weekly rest in the shape of "long-ons" and "short-offs" otherwise called "double duty". This is a clumsy device which robs the concession of its grace and value. I am not at all certain whether either the authors of the Geneva Convention or the Indian Legislature when it passed the Indian Railway (Amendment) Bill, envisaged the implications of the phrase "24 consecutive hours' rest" or the manner in which it would be interpreted and applied by Railway Administrations.

114. To take a typical roster of say 3 A.S.Ms. at a station, has normal shift hours are 0 to 8, 8 to 16 and 16 to 24. Four times in three weeks they have to bear the hardship of a "short-off"; free from duty at 16 and 24 hours, they have

to return to duty at 0 and 8 hours respectively in order that a colleague may get a weekly rest of 24 consecutive hours. Similarly and with the same object rosters are in force under which continuous workers are obliged to work once or twice a week for twelve hours at a stretch which is commonly spoken of as a "long-on".

115. Thus the staff rightly complain that what is given to them with one hand is taken away with the other. I cannot say that the present practice militates against the letter of the Regulations but there is no doubt that it is repugnant to a common-sense conception of weekly rest and by imposing the strain of double duty, etc., it stands self-condemned.

116. On the B. N. Railway a section of the staff has rejected the offer of weekly rest on this basis, regarding the game as not worth the candle, and the Railway, as a punitive measure, has ordered that "overtime should not be paid to staff who are working to rosters other than those which the Administration prescribed for the particular work concerned". It is, of course, the prerogative of the employer to frame rosters to meet the requirements of the service as well as of the Regulations, with due regard to the convenience of the staff, and it does not lie with the latter to choose their own rosters. But even if the staff acted wrongly in this matter, the liability of the employer to pay overtime to employees exempted from the statutory limit of working hours is absolute under Section 71-C and unless the Administration could show in any case that the overtime would not have accrued under the rosters offered by it, it would be reasonable to hold that the staff were exempted from the statutory limit when they were required to work beyond it. The point, however, need not be pursued further because if my proposals regarding weekly rest are accepted, the basic objection of the staff will disappear and no occasion will arise on this score for their rejecting a roster prepared by the Administration.

117. While the general arrangement for the grant of weekly rest to continuous workers employed in continuous and non-continuous processes is as described above, there are certain exceptions. On certain Railways a small proportion of even the former are allowed a "calendar day's rest" but this is often from midnight to midnight which itself is no improvement on the general practice. Conversely in the case of men employed in a non-continuous process a proportion of the staff, *e.g.*, conservancy sweepers, are required to work on all the seven days and are given a weekly rest of 24 consecutive hours as distinct from a full calendar day by an adjustment in their duty hours.

118. On some Railways, however, it is refreshing to find that steps have been taken to provide rest-givers to enable a small proportion of continuous workers in continuous processes to enjoy weekly rest without a long-on or a short-off. At large stations where a number of men are employed on continuous work, they could easily be given this amenity by sanctioning a small addition to the cadre: a case in point is that of Ticket Collectors at the Lahore Station where the cadre makes provision for the grant of a calendar day's rest to all without a long-on or a short-off. On the E. I. Railway also at stations where the work is heavy the Administration has found it advisable to provide weekly rest through "Geneva A.S.Ms." or rest-givers. Similarly on the G. I. P. Railway, Block Cabinmen on the suburban section where the work is very heavy are given weekly rest with the help of relieving staff. The system of "Geneva A.S.Ms." exists on the B. N. Railway also but I was informed that due to shortage of staff such A.S.Ms. were utilized in permanent vacancies and were not available for the purpose of giving rest for which they were provided.

119. **Percentages of continuous staff getting a calendar day's and 24 hours' rest.**—The following statement shows the ratio of continuous staff enjoying

calendar day's rest or 24 consecutive hours' rest, not coinciding with a calendar day, during the years 1944-45 and 1945-46:—

Railway	Percentage which the staff enjoying 24 consecutive hours' rest bore to the total staff entitled to rest during		Percentage which the staff enjoying a calendar day's rest bore to the total staff entitled to rest during		Decrease or increase in the percentage of the staff enjoying a calendar day's rest
	1944-45	1945-46	1944-45	1945-46	
1. N. W.	30·0	28·2	70·0	71·8	+1·8
2. E. I.	30·2	31·2	69·8	68·2	—1·6
3. B. A.	34·6	42·6	65·4	57·4	—8·0
4. B. N.	25·1	24·6	74·9	75·4	+0·5
5. G. I. P.	34·6	35·2	65·4	64·8	—0·6
6. M & S. M.	8·5	9·8	91·5	90·2	—1 3
7. B. B. & C. I.	29·7	29·3	70·3	70 7	+0·4
8. S. I.	19·1	17·4	80·9	86.2	+1 7
9. O. T.	30·7	28·3	69·3	71.7	+2·4

120. This statement shows a slight increase in the proportion of staff getting a calendar day's rest. In this, however, there is no cause for jubilation, as a calendar day's rest may often be from mid-night to mid-night which is even worse than 24 consecutive hours' rest from 8 A.M. or even 12 Noon to the same hour the next day. As we shall see in a later Chapter, what is required is a real weekly rest with a full night in bed and if possible a full day or at least some hours during the day in addition. Such rest in order to give satisfaction should not entail inconvenient long-ons or short-offs and should, therefore, normally be given through the employment of relieving staff in continuous processes. With a few exceptions here and there, such rest is not enjoyed by continuous workers in a continuous process although it is enjoyed by those employed in a non-continuous process who of course form the majority of continuous workers.

121. **Rest to essentially intermittent and excluded staff.**—Essentially intermittent and excluded staff are not entitled to any periodic rest under the Hours of Employment Regulations, but in actual practice some categories do enjoy periodic rest. Thus trollymen attached to inspecting officials often enjoy weekly rest with the latter. On the O. T. Railway, Nurses though classed as essentially intermittent are given weekly rest by re-arrangement of duties. Persons excluded

on the score of holding supervisory or confidential posts are generally able to get Sunday off although sometimes they may have to work for a limited time on such rest day. Running staff also, though excluded, get a few rest periods in the month though not at regular intervals, nor coinciding with a full calendar day. Further on the N. W. Railway executive instructions exist that on sections where train service is not suitable to permit of provisions being fetched by inferior staff classified as essentially intermittent during off duty hours, they should be allowed a day off once a month. This concession has also been extended to Booking or Goods clerks in charge of flag stations classified as intermittent. Engineering gatemen at 'C' class gates on the same Railway who are excluded have also been permitted to have a day off in a month and in their place Gangmen qualified in Gatemen's duty are put to work. In actual practice, however, it has not always been possible to implement these instructions on account of the general shortage of staff.

122. **Staff working on rest days.**—The annual reports on the working of the Hours of Employment Regulations bring to light cases where employees have been found to work on the days of rest and in the latest report also the Chief Labour Commissioner says that, "the evil of work during the periodic rest days . . . . still persists." The categories of employees thus deprived of periodic rest due to them under the Regulations are generally the same as those often working beyond rostered hours, *vide* paragraphs 104 and 105, *e.g.*, Station Master and Assistant Station Masters, Booking, Goods and Parcel clerks and occasionally Office clerks.

123. As regards Station Masters, the difficulty is that they are either not permitted to or do not authorise their assistants to carry out certain station duties such as closing of daily cash account and remittance of cash balance, submission of stock reports, etc., with the result that they have to attend Office on their weekly rest days. With regard to the commercial staff, the main cause reported is that they cannot get over their habit of putting off the preparation of weekly returns, etc., till the day when they should enjoy their weekly rest. One additional reason in the case of Goods Clerks has been, as we know, a desire on the part of the Administration as well as the staff to provide all possible facilities to merchants: this leads not only to their working beyond the rostered hours during the week-days but to their attending office on their rest days to complete incidental work.

124. Office clerks are also in some cases called upon to attend office on Sundays for the whole or a part of the day when there is urgent work which cannot brook delay, *e.g.*, payments of salary and other dues.

125. The Hours of Employment Regulations permit temporary exemptions from the grant of weekly rest to continuous workers in certain circumstances but persons so exempted shall not be required to work for 21 days without a rest of at least 24 consecutive hours. In the cases mentioned above, with the exception of office clerks, no formal exemption is usually made and the men affected attend to their duty on the rest days to complete their work. Office clerks are sometimes specifically ordered to attend office on some rest days and then usually given a compensatory day off. A case was, however, noticed of record clerks in the control office at Royapuram (M. & S. M. Railway) who were not given any weekly rest even for 2 or 3 months—contrary to the provisions of Rule 7 of the Railway Servants Hours of Employment Rules.

126. **Summary of the Review.**—The present position in respect of the observance of the main provisions of the Hours of Employment Regulations may now be summed up as under:

127. Cases of wrong and doubtful classification have been reported from time to time by the Labour Inspectorate and although in many cases these have been set right, the enquiry shows that the present machinery is not adequate to cope

with the magnitude of the task and that there is room for a comprehensive investigation, particularly in view of the enormous increase in traffic since 1940. In the absence of such an investigation, it is difficult to certify that the Hours of Employment Regulations have on the whole been properly complied with. Moreover the diversity of the ratio of continuous and intermittent staff on some of the Railways is so glaring that even the Railway Board were forced to recognise that "it is clear that there is considerable divergence in the interpretation of law". In many cases, as pointed out in paragraph 101, the existing ratio is *prima facie* unsatisfactory.

128. With regard to the two formulæ prescribed in Subsidiary Instruction No. 1, the first of these can hardly be said to comply with the spirit of the Hours of Employment Regulations as it seems to authorise the classification of an employee as intermittent even if he has to put in as much as 9 or 10 hours of effective work in the course of 12 hours' duty. The second formula again does not specifically stipulate for the existence of long periods of inaction as required by the Act and it would therefore be wrong to apply it without regard to this statutory requirement.

129. In determining classification, it would appear that in certain cases combined duties have not been taken into account. Inferior staff have sometimes been excluded on the alleged ground that their duties are of specially light character, although they frequently perform additional duties at stations. Several cases have come to light of staff wrongly classified as supervisory and therefore excluded.

130. The power to decide the classification has in many cases been exercised by a lower authority than the competent one and there is nothing to show that appeals to the Railway Board have in all cases been correctly dealt with.

131. Weekly rest to continuous workers employed in a continuous process not only does not ensure a full night's rest in all cases but is, as a rule, given without the employment of relieving staff, thus entailing awkward long-ons or short-offs. This feature of the rosters is known to have been extremely unpopular with the staff and I am not sure whether the present position, though covered by the letter of the Indian Railways (Amendment) Act, 1930, can be said to implement the spirit of the Geneva Convention or the intention of the Indian Legislature. The rest given to continuous workers employed in a non-continuous process who constitute the majority of such workers is, however, as a rule satisfactory.

132. Instances of working beyond rostered hours or on rest days are fairly common in the case of certain categories such as Station Masters and Assistant Station Masters, Booking and Parcel Clerks, inferior staff at stations and office clerks. Although the staff themselves may be partly responsible in many cases, an important contributory cause would appear to be inadequacy of staff. What is more, the need for the maintenance of a proper record of overtime worked is not always realised as noticed particularly on the O. T. Railway, while on the B. N. Railway a general order exists withholding overtime earned under the Act from the staff who refused to work to a roster proposed by the Administration on the ground that the weekly rest it provided was unacceptable from their point of view. In some cases compensatory rest is not given when the staff are required to work on the rest day and a case was noticed in which no periodic rest was enjoyed by continuous workers for a period extending to 2 or 3 months in violation of Rule 7. Such cases were alleged to be fairly frequent by Mr. Jadhav, Regional Labour Commissioner, Western Zone, who also deposed—without however, citing concrete cases—that "during War abrogation of weekly limitations and periodic rest without payment of overtime and compensatory rest was a common feature on the railways".

133. In the case of booking clerks at large stations no credit has generally been given for the time required to close accounts, etc., and it is clear that many such clerks have been employed in excess not only of the rostered but of the statutory hours without the payment of overtime.

134. This catalogue of errors and omissions is not intended to imply deliberate infringement of the Hours of Employment Regulations. On the contrary it stands to the credit of the Railway Department that in spite of the Railways (Hours of Employment) Ordinance, 1942, permitting suspension of the Hours of Employment Regulations, this course was not generally resorted to. Moreover liberal allowance must be made for the tremendous difficulties which confronted Railway Administrations during the war. I feel, however, that on some Railways at least greater regard should have been paid to the spirit—not merely the letter—of the Hours of Employment Regulations and that it will be necessary to provide adequate machinery in future, both for internal and external check, to ensure that the classification correctly reflects the working conditions from time to time.

ANNEXURE TO CHAPTER V

Comparative statement showing the ratio of classification of certain prominent categories of Staff on various Railways (see paragraph 107)

NAME OF RAILWAYS	B. A. Railway			N. W. Railway			E. I. Railway			B. N. Railway			G. I. P. Railway			B., B. & C. I. Railway			S. I. Railway			O. T. Railway			M. & S. M. Railway (Old Figures)			M. & S. M. Railway (Revised Figures)		
CATEGORIES OF STAFF	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent
Transportation and Commercial Branch																														
Station Masters	...	—	...	9·0	38·1	52·9	*19·8*	59·6	20·6	22·9	44·9	32·2	12·0	*26·6*	*62·0*	13·9	6·4	79·7	5·0	22·9	72·6	3·0	39·0	58·0	10·2	*0·2*	*89·6*	18·6	*1·8*	50·2
Assistant Station Masters and Cabin Assistant Station Masters	...	65·0	35·0	Nil	69·6	30·4	0·5	83·7	15·8	1·1	67·6	31·3	Nil	60·6	40·0	Nil	35·2	64·7	Included in S. M.			Nil	60·6	40·6	0·8	*11·8*	*87·4*	Nil	39·7	60·3
Booking Clerks	Nil	72·0	28·0	3·2	54·2	42·2	6·5	84·4	9·1	2·1	39·8	*58·1*	19·6 (Booking Clerks) 3 (Jr. staff)	47·0 (Booking Clerks) 69·0 (Asstt. Booking Clerks)	17·6 28·0	1·2	31·2	67·2	10·6	47·0	43·0	1·0	60·0	69·0	1·6	*26·1*	*72·3*	1·0 (Station Clerks)	44·6	54·4
Parcel Clerks	...	100·0	...	4·6	66·5	9·0	0·4	97·2	1·7	1·6	12·2	26·2	10·0 (Parcel Clerks) 20·0 (Asstt. Parcel Clerks)	79·0	11·0 22·0	1·9	73·6	26·6	...	...	...	8·0	*34·9*	*58·0*	2·6	*35·5*	*55·4*	...	40·5 (Junior Clerks)	59·5
Goods Clerks	5·0	95·0	...	4·2	95·8	Nil	1·8	91·0	7·4	1·3	79·2	20·5	6·0 (Goods Clerks) 20·0 (Asstt. Goods Clerks)	94·0	Nil 3·0	2·5	96·2	1·2	6·0	93·0	1·0	Nil	99·0	1·0	3·9	76·1	19·1			
Ticket Collectors	...	100·0	...	3·7	81·4	14·9	4·3	85·5	10·2	4·1 23·2 Running Staff	34·6	38·0	10·0 Running Staff	57·0	33·0	1·0	60·7	38·2	4·0	56·0	40·0	2·0	*32·6*	*65·6*	1·6	*32·3*	*65·7*	44·8 R. Staff	29·3	24·5
Technical Inferior Staff																														
Shunting Jemadars and Shunting Porters	...	100·0	...	Nil	76·8	23·2	...	—	...	Nil	74·2 (S. Jemadars) 83·4 (R. Porters)	25·7 16·6	Nil	99·0	...	Nil	76·7	21·2	...	...	...	...	...	...	Nil	70·3	29·7	...	*25·0*	74·8
Pointsmen																														
Non-Technical Staff	...	76·0	30·0	Nil	*30·9*	*69·1*	Nil	75·0	25·0	Nil	70·6	30·9	Nil	54·0	46·0	Nil	68·5	31·4	Nil	*32·0*	*69·0*	Nil	81·0	19·0	...	*24·7*	*75·3*	...	42·2	57·8
W. R. Staff	...	...	100·0	Nil	35·6	64·4	7·7	*8·2*	*84·1*	Included in L. Porters			Nil	Nil	*100·0*	Nil	*1·0*	*99·0*	Nil	18·0	82·0	Nil	Nil	*100·0*	...	...	—	...	...	100·0
Box Porters	...	...	100·0	Nil	51·9	48·1	Nil	37·0	63·0	Ditto.			Nil	46·0	54·0	Nil	*19·2*	*80·8*	...	...	...	Nil	Nil	*100·0*	...	...	...	...	...	*100·0*
Lascars	...	...	...	Nil	*24·2*	*75·8*	Nil	*20·0*	*70·6*	...	...	...	Nil	*6·2*	*94·0*	Nil	70·0	*74·0*	Nil	Nil	100·0	Nil	Nil	*100·0*	...	...	...	*58·6*	...	30·0
Watermen	...	...	...	*33·1*	34·5	*32·4*	*29·0*	8·0	63·0	33·1	6·4	60·5	*32·0*	Nil	67·0	0·4	6·8	*92·8*	Nil	Nil	100·0	17·0	Nil	*83·0*	*66·1*	Nil	33·2	...	59·7	40·3
Watchmen	...	...	...	...	...	...	...	96·1	3·9	...	...	...	—	99·0	1·0	...	*49·3*	*50·7*	...	94·0	6·0	4·0	*17·0*	*79·0*	0·7	54·4	44·9	...	...	...
Engineering Branch																														
P. W. Mates, Keymen and Gangmen	...	100·0	...	...	100·0	...	42·7	48·2 (Mates) 100·0 (Coolies)	9·4	...	100·0	...	...	100·0	...	...	100·0	...	...	100·0	...	Nil	100·0	...	Nil	100·0	...	...	...	...
P. W. Mistries	...	100·0	...	...	100·0	...	*39·0*	Nil	Nil	Included in Artizans			100·0	—	...	...	100·0	...	...	100·0	...	36·0	64·0	...	...	100·0	...	...	...	...
Signal & Block Cleaners	...	—	...	...	57·5	42·5	...	...	...	...	67·0	13·0	...	...	...	...	91·6	19·0	...	Nil	*100·0*	...	...	*100·0*	...	...	*100·0*	...	...	...
Medical Branch																														
Nurses	...	100·0	...	...	65·0	35·0	...	60·0	20·0	...	40·6	59·0	...	75·0	25·0	...	93·1	6·7	7·0	Nil	93·0	...	...	100·0	...	...	100·0	...	...	...

ANNEXURE TO CHAPTER V—*contd.*

NAME OF RAILWAYS	B. A. Railway			N. W. Railway			E. I. Railway			B. N. Railway			G. I. P. Railway			B. B. & C. I. Railway			S. I. Railway			O. T. Railway			M. & S. M. Railway			M. & S. M. Railway (Revised Figures)		
CATEGORIES OF STAFF	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent	Excluded Supervisory or Inferior	Continuous	Intermittent
Loco. Branch																														
Fitters	...	100·0	...	...	97·5	2·5	*12·3*	*87·7*	...	...	*92·5*	*6·1*	...	*94·0*	*6·0*	...	*94·3*	*5·7*	...	*100·0*	...	...	*97·0*	*10·6*	...	*32·4*	*68·6*	...	*100·0*	...
B. Makers	...	100·0	...	...	*89·2*	*10·3*	*23·2*	*51·3*	*23·2*	...	*89·5*	*1·2*	...	*93·0*	*7·0*	...	*93·0*	*7·0*	...	*100·0*	...	...	*90·0*	*4·0*	...	*89·2*	*10·9*	...	*100·0*	...
Coal Coolies	...	...	...	...	*84·9*	*14·0*	*6·6*	*72·7*	*32·5*	...	...	...	...	...	...	...	*100·0*	...	...	*3·0*	*97·0*	...	*100·0*	...	...	*79·8*	*21·2*	(Coal (Fuel coolies)	*24·2* coolies)	*65·8* *69·2*	*69·2*
Cleaners	...	100·0	...	...	*96·0*	*4·0*	...	*69·1*	*31·9*	...	*61·4*	*38·2*	...	*83·0*	*20·0*	...	*96·4*	*3·6*	...	*96·0*	*3·0*	...	*70·0*	*30·0*	...	*82·1*	*17·8*	...	*100·0*	...
Carriage and Wagon Branch																														
T. X. Rs.	*5·0*	*40·0*	*55·0*	*12·0*	*83·0*	*5·0*	*6·1*	*91·5*	*2·4*	...	*94·6*	*5·4*	*8·0*	*90·0*	*2·0*	...	*100·0*	...	*100·0*	...	...	*33·0*	*67·0*	...	...	*4*	*95·6*	...	*45·7*	*54·3*
Cleaners	...	100·0	...	...	*96·0*	*4·0*	*12·1*	*87·7*	*9·2*	Included in Unskilled staff		...	...	*97·0*	*3·0*	...	*96·0*	*8·0*	Included in Unskilled staff		...	...	*48·0*	*16·0*	...	*12·1*	*47·9*	...	*29·6*	*40·4*
Fitters	...	100·0	...	...	*99·0*	*1·0*	...	*98·2*	*1·8*	...	*93·0*	*6·1*	...	*97·0*	*3·0*	...	*96·0*	*3·0*	...	*57·2*	*42·8*	...	*84·0*	*16·0*	...	*33·4*	*66·6*	...	*59·6*	*59·6*
Unskilled Staff	...	...	...	...	*85·0*	*15·0*	...	*96·2*	*3·8*	...	*85·5*	*14·5*	...	*97·5*	*2·0*	...	*99·0*	*1·0*	...	*24·0*	*42·0*	...	*25·0*	*75·0*	...	*29·3*	*70·7*	...	*37·1*	*45·9*
Inferior Staff of General Branches																														
Sweepers (Trans. & Commsl.)	...	*80·0*	*20·0*	*43·6*	*24·8*	*31·6*	*27·9*	*39·5*	*32·6*	*39·1*	*5·6*	*55·1*	*22·6*	*7·6*	*77·8*	*11·3*	*9·9* E. Staff *68·0*	*78·5*	...	*6·0*	*94·0*	*18·0*	*Nil*	*82·0*	*32·8*	*Nil*	*67·2*	*37·0*	...	*62·1*	
,, (Carriage & Wagon)	...	*95·0*	*5·0*	*Nil*	*32·6*	*2·0*	*Nil*	*96·0*	*4·0*	*2·3*	*59·0*	*43·7*	*Nil*	*66·0*	*14·0*	*Nil*	*38·0*	*12·0*	*Nil*	*45·0*	*55·0*	...	...	...	...	...	...	...	...	...
,, (Loco.)	...	*95·0*	*5·0*	*Nil*	*90·0*	*10·0*	*10·5*	*Nil*	*19·5*	*2·3*	*40·9*	*45·7*	*Nil*	*Nil*	*100·0*	*Nil*	*38·0*	*72·0*	*Nil*	*45·0*	*55·0*	*2·0*	*25·0*	*63·0*	...	...	...	*22·3*	...	*77·7*
,, (Engineering)	...	*75·0*	*25·0*	*14·0*	*57·5*	*28·5*	*22·7*	*19·5*	*57·4*	...	...	...	*Nil*	*14·0*	*86·0*	*Nil*	*100·0*	...	*Nil*	*100·0*	...	*1·0*	*89·0*	*10·0*	*Nil*	*100·0*	*Nil*	...	...	...
,, (Medical)	...	*55·0*	*45·0*	*3·0*	*91·0*	*6·0*	*Nil*	*38·5*	*61·5*	*Nil*	*63·0*	*37·0*	*Nil*	*24·6*	*62·0*	*Nil*	*33·3*	*66·7*	*Nil*	*74·0*	*26·0*	...	...	*100·0*	...	*89·7*	*10·3*	...	...	...
S. R. Cooks (Trans. & Commsl.)	...	...	...	...	*16·6*	*83·4*	*10·0*	*17·0*	*73·0*	...	*22·9*	*67·1*	*Nil*	*Nil*	*100·0*	*Nil*	*4·2*	*94·8*	...	...	...	...	...	*100·0*	...	...	...	...	*100·0*	*100·0*
,, (Loco.)	...	...	*100·0*	...	*29·0*	*71·0*	*12·3*	*33·6*	*54·9*	...	*24·0*	*72·0*	*Nil*	*29·0*	*80·0*	*Nil*	*Nil*	*100·0*	...	*Nil*	*100·0*	...	*11·0*	*89·0*	*Nil*	*Nil*	*100·1*	*Nil*	...	*100·0*
,, (Medical)	...	...	*100·0*	*Nil*	*28·0*	*72·0*	*Nil*	*48·0*	*52·0*	*Nil* (Asstt. Cooks)	*15·0*	*25·0* *100·0*	*Nil*	*Nil*	*100·0*	*Nil*	*33·3*	*66·7*	*Nil*	*100·0*	*Nil*	*Nil*	*Nil*	*100·0*	...	*66·7*	*33·3*	...	...	...
Gate men (Trans. & Commsl.)	*20·0*	*80·0*	*60·0*	*10·1*	*43·6*	*46·3*	*5·2*	*51·6*	*43·1*	*Nil*	*62·2*	*17·8*	*20·0*	*17·0*	*53·0*	*26·0*	*15·4*	*58·6*	*2·0*	*40·0*	*58·0*	...	...	...	*30·1*	*22·6*	*47·3*	*69·1*	...	*30·9*
,, (Engineering)	*5·0*	*80·0*	*15·0*	*39·0*	*6·0*	*55·0*	*78·0*	*3·7*	*18·3*	*30·0*	*16·6*	*54·0*	*73·3*	*2·0*	*20·0*	*58·0*	*2·0*	*10·0*	*1·0*	*44·0*	*55·0*	*33·0*	*13·0*	*29·0*	*19·7*	*29·6*	*50·7*	...	...	...
Clerical Staff																														
Clerks (Trans. & Commsl.)	...	100·0	...	*Nil*	*100·0*	*Nil*	*Nil*	*100·0*	*Nil*	*0·7*	*98·9*	*0·4*	*Nil*	*77·2*	*22·8*	*2·8*	*97·0*	*0·2*	*Nil*	*18·0*	*82·0*	...	...	...	...	...	...	...	...	...
,, (Loco.)	...	100·0	...	*3·0*	*97·0*	*Nil*	*Nil*	*17·8*	*82·2*	*Nil*	*99·5*	*0·5*	*Nil*	*96·0*	*12·0*	*Nil*	*100·0*	*Nil*	*Nil*	*97·0*	*29·0*	*Nil*	*100·0*	*Nil*	*Nil*	*94·0*	*5·3*	*7·1*	*27·7*	*65·2*

CHAPTER VI.—DEMANDS OF THE ALL INDIA RAILWAYMEN'S FEDERATION AND PRINCIPLES TO BE FOLLOWED IN RESPECT OF CLASSIFICATION OF STAFF AND THEIR HOURS OF WORK AND PERIODIC REST.

135. **Terms of Reference.**—Items 1 and 2 of the terms of reference read as under:—

"(1) Whether the existing hours of work of railway servants, other than those to whom the Factories Act, 1934, applies, should be reduced and if so, to what extent and to what classes of railway servants.

(2) Whether the grant of a compulsory periodic rest of a calendar day should be allowed to all railway servants referred to in (1) above, including those designated as essentially intermittent workers: if not, whether periodic rests in any other form are recommended."

Having reviewed the present position in respect of the observance of the Hours of Employment Regulations on Railways, I shall now discuss the principles which it is proposed to follow in dealing with these terms of reference.

136. **Possible meanings of "existing hours of work".**—The phrase "existing hours of work" used in the first term of reference is capable of connoting any one of the following:—

(1) Maximum hours of employment prescribed in the Regulations, namely, 60 hours a week for continuous and 84 for intermittent workers. No limit is so prescribed for excluded staff.

(2) Rostered hours fixed by Railway Administrations within the statutory limits for various categories of continuous and essentially intermittent workers. As we have seen in paragraphs 102 and 103 of the preceding Chapter, these are in many cases shorter and are fixed having due regard to the exigencies of the service and the nature of the work.

(3) Actual hours of work. These may sometimes exceed the rostered, and in a few cases, as we have seen, even the statutory, hours. Booking clerks at very busy stations, for instance, have to sit for a long time after their duty hours to complete their accounts, close cash, etc. In the case of office clerks also, particularly pay sheet clerks, the actual hours may sometimes exceed the rostered hours, but not as a rule, the statutory limit.

I interpret the first term of reference as essentially referring to the hours of employment prescribed in or permissible under the Hours of Employment Regulations and shall therefore concentrate on considering whether these require reduction. So long as the statutory limits are fixed at a reasonable level, having due regard to humanitarian and other relevant considerations, and the staff are classified for this purpose on a reasonable basis, it should be a matter for the Administrations to regulate their rostered hours within these limits. Complaints are sometimes made that where the statutory limit is much higher than the rostered hours, the staff are often required to work extra-rostered hours without being paid overtime, but such complaints have little or no force except where the statutory limit is unreasonably high for a particular class of employees. Records should, however, be kept of extra-rostered hours of work when the staff are required, in the interests of the service, to work overtime in order to ensure payment of overtime allowance when the statutory limit is exceeded. In many cases working beyond the rostered hours arises from maladjustment of work or inadequacy of staff and the complaint can be remedied by administrative action. It could hardly have been the intention of the Government of India that a detailed examination of the strength of staff in the various places of work or its distribution should form a subject matter for this Adjudication.

137. **Federation's demands for a 42-hour week and a weekly rest of 32 hours including a calendar day for all staff.**—In its Statement of Demands received in August 1946, the All-India Railwaymen's Federation urged "the necessity of

immediate acceptance of the principle of 42-hour week as a preliminary to 40-hour week on the Railways". For the essentially intermittent staff also, the Federation asked for the same general standard working hours excepting that the spread-over might be allowed upto 12 hours in their case as against 8 in the case of continuous workers. The Statement of Demands made no specific mention of the excluded staff, but demanded that "the Regulations should apply to all categories of staff other than gazetted officers without exception".

138. With regard to the second term of reference, the Statement of Demands asked "for a compulsory weekly rest of not less than 32 consecutive hours including a calendar day. No normal exception should be permitted for any class of workers including essentially intermittent workers and where permitted for unavoidable reasons, the principle of compensatory rest and payment for breach of rest should be accepted".

139. **Federation's demands reiterated by most Unions.**—These demands were more or less echoed in the Statements of Demands received from several unions affiliated to the All-India Railwaymen's Federation, namely, N. W. Railway Employees' Union, N. W. R. (Registered and Recognised) Union, E. I. R. Employees' Association, G. I. P. Railway Accounts Staff Union, G. I. P. Railwaymen's Union, B. B. & C. I. Railwaymen's Union, B. B. & C. I. Railway Employees' Union, O. T. Railwaymen's Union, B. N. Railway Indian Labour Union and M. & S. M. Railway Employees' Union. Some of these Unions went one better and asked for a still shorter limit where the work was very onerous. The B. A. Railway Employees' Association, however, struck a new note and suggested an eight-hour day for station staff who had to pass 12 trains or less, and a 6-hour day for other station staff: it advocated the abolition of the essentially intermittent class, but as a last resort was prepared to accept its retention where the work was very light, e.g., where the number of trains was not more than 4 a day.

140. Among the Unions not affiliated to the Federation, the B. B. & C. I. Railway Employees' Association asked for a 48-hour week for skilled and semi-skilled workers and inferior and daily rated staff generally. The National Union of Railwaymen of India and Burma asked for a 48-hour week for all workers. The N. W. Railway Booking Clerks Association, N. W. R. Guards' Association, N. W. R. Station Masters Group Association, the Station Masters' Association, Agra (G. I. P. Railway), the Guards' Association, Tundla (E. I. Railway), the S. I. Railway Loco Transportation Association and the Electric Traction Drivers' Association, Tambaram, (S. I. Railway) asked for an 8-hour day or a 48-hour week. The S. I. Railway Guards' Association, however, supported the Federation's demand for a 42-hour week. The Telegraph Association, Allahabad, asked rof the working hours of signallers to be reduced to 36 a week, while the S. I. Railway Clerks' Association demanded a 33-hour week for clerks.

141. With regard to periodic rest, the majority of the Unions reiterated the demand of the Federation for 32 hours weekly rest, including a calendar day, for all workers, while some asked for a calendar day in addition to the usual daily rest.

142. **Improvements envisaged in Railway Board's letter No. E.45 G17(L), dated 9th February 1946.**—Before considering the Joint Reply from Railway Administrations to the demands of the Federation, it is necessary to pause for a while and study the tentative improvements in the Hours of Employment Regulations envisaged in the Railway Board's letter No. E.45 G.17(L), dated 9th February 1946 (Appendix XV). The salient points of this important communication are indicated below:—

(1) In the opinion of the Board "the time has come when a review of these Regulations is called for so as to determine to what extent, if any, unreasonable conditions in hours of work exist and how best they

can be eliminated" and Railway Administrations were accordingly instructed to undertake a general investigation to this end.

(2) With regard to "excluded" (inferior) staff, it was pointed out that the percentages which such workers bore to the total number coming under the Hours of Employment Regulations varied from below 1 percent to over 6 percent on different railways. The Board saw no ground for such divergence and directed an investigation to be made with a view to reducing this percentage on each railway to the neighbourhood of 1.

(3) With regard to essentially intermittent staff, the Board pointed out that while the over-all ratio of such staff was about 20 per cent., the ratio on the different railways vaired from 14·4 in the case of the E. I. Railway to 32 in the case of the M. & S. M. Railway. Such wide disparity could not be wholly accounted for by differences in the relative traffic density and it appeared to the Board that there was a considerable variation in the interpretation of the law. The Board commented on the implications of the prescribed definition of the term "essentially intermittent" (see paragraphs 87 and 88 of chapter V) and expressed the view that "the time has come when the work of these essentially intermittent workers must be reviewed in the light of a more restricted definition, which may for the purpose of this investigation, be taken as follows:—

"For the purpose of Section 71-A, the work of a railway servant shall not be regarded as essentially intermittent unless his daily period of duty includes periods of inaction aggregating not less than 6 hours.'

Further for the purpose of this investigation, a weekly rest of not less than 24 consecutive hours should be provided for the intermittent worker.

(4) In the case of continuous workers, the Board pointed out that a considerable proportion of men who were engaged in a non-continuous process enjoyed in actual practice a calendar day's rest every week and never really approached the legal 60 hours' limit, many of them in fact doing no more than 48 hours a week. Those employed in a continuous process where the weekly rest was the legal minimum of 24 consecutive hours as distinct from a full calendar day, were performing duty for about 57 hours a week. Such weekly rest was given as a rule without relieving staff and entailed "long-ons" or "short-offs". The Board recognised that this feature of the rosters had been extremely unpopular and that its elimination and the provision for a calendar day's rest would constitute a substantial liberalisation of the rules. For the purpose of the investigation, therefore, the Board suggested that it should be assumed that all continuous workers would be provided with a calendar day's rest which would automatically reduce the 'long-ons" and "short-offs" to a minimum.

(5) In view of the above the Board recognised that the system of providing relieving staff during the weekly rest would have to be adopted wherever necessary. At the same time in order to avoid wastage of manpower, it was suggested that a further drive must be made towards a combination of duties, which were at present widely distributed in this country, if the staff were to enjoy conditions regarding hours of employment comparable to those prevailing in highly organised countries. The letter summed up the Board's policy admirably in the following words:

"The end in view, stated in general terms, is reasonable maximum weekly hours with an appropriate weekly rest without a wholly

uneconomic and unreasonable waste of manpower in the provision of additional men who could not be organised so as to perform reasonable hours."

143. **Joint Reply of Railway Administrations.**—It is against this background that the Joint Reply of the Railway Administrations has got to be considered. The Reply states that the question of fixing a 60-hour week in preference to a lower limit was fully debated when the Indian Railways (Amendment) Act of 1930 was passed and that there has been no material change in the conditions affecting working hours to justify any reduction, much less a drastic reduction to a 42 or 40-hour week as suggested by the Federation. It points out that where the nature of work justified the fixation of a lower limit, administrative action was taken as evidenced by the fact that the G. I. P. and B. A. Railways had reduced the working hours of certain train controllers to 42 hours a week. An earlier investigation had shown that the general introduction of a 48-hour week would entail a recurring expenditure of eight crores per annum besides the cost of providing quarters and other incidental items. The Federation's demand for a 42-hour week would, therefore, cost even more. The Administrations would not be able to bear the additional expenditure involved nor would such expenditure be balanced by any increase in the output or efficiency of the workers. As regards any humanitarian considerations, the Reply states that whatever amelioration in this respect is needed, it would be forthcoming when the suggestions made in the Board's letter of 9th February 1946 are investigated and decisions made. The Reply goes on to argue that when the 60-hour week was accepted for India as against a 48-hour week for Western countries, it was mainly on the consideration of the vast difference in the industrial development of the respective countries and that "this difference can be said to have increased rather than diminished since then". In answer to the suggestion that the Hours of Employment Regulations were far behind the provisions of the Factories Act which by its latest amendment provides for a 48-hour week, the Reply points out that, "the nature of the work done by the Factory worker and the conditions under which it is done are different from those in the case of the railway staff".

144. With regard to the Federation's demand for the same general standard working hours for the essentially intermittent workers as for "continuous" workers though with a longer spread-over, the Reply observes that such a demand would amount virtually to the abolition of the entire class. It emphasises the fact that on railways the intensity of work to be performed by the various categories of staff is not the same and that the Washington Convention also permitted an exception being made from the general standard in the case of men whose work was essentially intermittent. In the opinion of the Railways it would be unfair to continuous workers and against all economic principles to let the essentially intermittent workers do duty for the same hours of work as the former.

145. With regard to the demand for a compulsory weekly rest of not less than 32 consecutive hours including a calendar day, the Reply points out that the weekly rest in actual practice for continuous workers employed in a non-continuous process consists of more than a calendar day. For the rest the view is expressed that the nature of the duties performed by the majority of continuous workers is such that 24 consecutive hours' rest is all that is necessary. In saying so the Reply takes no account of the suggestion made in the Board's letter of 9th February 1946 for liberalising the present rules by the grant of a calendar day's rest to continuous workers. With regard to weekly rest for essentially intermittent and excluded staff, the Reply states that their rostered hours are such that a weekly rest cannot be provided but that this aspect of the question is under investigation in pursuance of the tentative suggestions made in the Board's letter of 9th February 1946.

146. **Case for reduction in working hours.**—Having indicated the demands of the Federation and the Unions and the Joint Reply of Railways, I shall now consider in the first instance whether the existing hours of employment prescribed in

or permissible under the Regulations should be reduced, and if so, whether such reduction can in all propriety be uniform for all classes of railway servants as implied in the Statement of Demands submitted by the Federation.

147. **Further limitation foreshadowed in Article 10 of the Washington Convention.**—To go back for a while to the historical basis of the existing Hours of Employment Regulations a reference to Article 10 of the Washington Convention (Appendix X) would show that the Conference in laying down the principle of a 60-hour week for British India made an important observation that "further provisions limiting the hours of work in India shall be considered at a future meeting of the General Conference". As stated in paragraph 60 in Chapter IV, the Commission on Special Countries had observed that they had had very little time in which to get accurate information as to the implications of an eight-hour day in the immediate future for India. It is not clear whether any steps were taken by the Government of India to have the question of a further limitation of the hours of work brought up before a subsequent meeting of the Conference. It appears that at the International Conference in 1929, Mr. Joshi sponsored a resolution for a reduction in the hours of work in India from 10 to 8 per day. But as a result of a compromise arrived at between the employers' and the workers' delegates, the formula was changed and the Governing Body was instructed to go into the question whether the economic conditions in India had so altered as to warrant such reduction. In the 1934 Conference also, Mr. Jamnadas Mehta, the workers' delegate, raised the question of a reduction in the hours of work, particularly with reference to railway workers, but the proposal was opposed by the representative of the Government of India.

148. **Assurance given by Government during the debate on Indian Railways (Amendment) Bill.**—Further in 1929 when the Indian Railways (Amendment) Bill was considered by a Select Committee of the Legislative Assembly, this Committee reported *inter alia* as under:

> "The introduction of a 48-hour week would necessitate a further prolonged period for preparation and would also involve very heavy expenditure. For this reason we have not accepted the suggestion. We understand, however, that an investigation has been started by Government, and will be continued, with a view to fixing the hours of work at a lower figure than fifty-six hours a week for those railway servants whose duties are specially arduous and involve continued concentration."

Two members of the Select Committee, Messrs. Abdul Matin Chowdhury and Har Bilas Sarda, in a minute of dissent, suggested a 48-hour week for continuous and 60-hour week for intermittent workers. Mr. Kelkar also considered this demand not unreasonable, but on practical grounds persuaded himself to agree to the provisions of the Bill as only a first instalment.

149. In presenting the Select Committee's Report to the Legislative Assembly, Sir George Rainy, Member for Commerce and Railways, made the following statement:—

> "Government do not regard this bill as the final solution of the question of the hours of labour on the Indian Railways, but our first duty, whatever we may hope for in the future, is to implement the obligations we have already incurred and to make the 60-hour week and the weekly day of rest fully effective. But if we try to do too much at one time, instead of expediting matters, it may lead to almost indefinite delay. Again there is a distinction between what is made obligatory by law and what humanitarian considerations, in given circumstances, may make reasonable and proper. If in a given case Government say that they do not think that in this bill provisions

should be inserted to limit still further the hours of work, it does not mean that the Government consider that in all cases the maximum hours of work will be reasonable hours of work. In fact we gave the Select Committee an undertaking that we would investigate the question with a view to fixing the hours of work at a lower figure than 60 hours for those railway servants whose duties were specially arduous."

150. When the bill came up for discussion, both Dewan Chamanlal and Maulvi Abdul Matin Chowdhury made a vehement plea for fixing the weekly hours of continuous workers at 48. The latter pointed out that even if there might be any justification for a 10-hour day in industries which faced competition in the world, there was really no justification for it in an undertaking, such as a railway, which was a State monopoly and which had not to face any competition from outside. Dewan Chamanlal pleaded that a whole decade had passed since the adoption of the Washington Convention and that the exception made in the case of India was, therefore, no longer valid. Mr. Gaya Prasad Singh also put in a plea for shorter hours on the ground that over-work on the part of railway servants was fraught with danger to public safety. Ultimately however, the bill as presented by the Select Committee was passed and the provision of a sixty hours' week for continuous workers and 84 hours' week for intermittent workers still stands in the Statute Book. What is more, no comprehensive investigation would appear to have been made up to now to implement the undertaking given on behalf of Government with a view to reducing the hours of work for those railway servants whese duties are specially arduous.

151. **Recommendations of Royal Commission on Labour.**—After the amendment of the Indian Railways Act in 1930 the Report of the Royal Commission on Labour was published and this report, in a special chapter devoted to the hours of employment on railways, after emphasising that uniformity of hours was not desirable, stated as follows:

"We consider that there are branches of employment where by reason of the degree of concentration required, the existing hours are too long. In the Report of the Select Committee which considered what is now the Act of 1930 a reference was made to the possibility of fixing the hours of work at a lower figure than 56 hours a week for those railway servants whose duties were specially arduous and involved continuous concentration. In such cases the aim should be to secure a weekly limit not exceeding 48 hours. We recommend that as soon as experience of altered working hours is available the case of all individual branches should be examined in turn with a view to determining to what extent the prevailing hours require reduction and that thereafter action be taken to secure on all railways the reduction necessary."

In the case of intermittent workers, the Labour Commission recommended that the Railway Board should reconsider the practicability of reducing the weekly hours of work, viz., 84, and of giving days of absence at reasonable intervals, where weekly rest days could not be given. The minority view of Mr. Cliff, Mr. Joshi and Dewan Chamanlal was that the weekly hours of continuous workers should be reduced to the same level as they had suggested for workers in factories and mines, viz., 48.

152. **Liberalisation of the Factories Act.**—The Royal Commission on Labour also recommended 54 hours a week for industrial workers instead of 60 hours as then prescribed in the Factories' Act. This Act was amended in 1934, agreeably to this recommendation. By a further recent amendment, the Factories Act now prescribes a 48-hour week as a general rule. The argument advanced in the

course of the debate on the Indian Railways Amendment Bill in 1929 against a 48-hour week, *viz.*, that its introduction for the railway staff would lead to serious repurcussions on other industrial concerns, has, therefore, now lost much of its force.

153. **Bhore Committee's recommendations.**—Finally the Health, Survey and Development Committee, presided over by Sir Joseph Bhore, in its report has expressed the opinion that "purely from the point of view of health of the workers, the maximum hours of work prescribed in the Factories and other Acts are too long and should be reduced". In view of the climatic conditions of the country, the frequent difficulties of transport to and from the workers' home, his poor physique and nutritional deficiencies, the necessity for a mid-day rest and his general, social and economic environment, the Committee recommends that the maximum should be reduced to 45 hours a week, i.e., eight hours a day for five days and five hours a day for one day and that the Factories Act and other Acts be amended accordingly.

154. For all these reasons and as a result of local inspections and examination of the evidence collected, I am of opinion that the time has come for a reasonable reduction in the existing hours of work of railway servants as prescribed in or permissible under the Hours of Employment Regulations.

155. **Some general arguments for and against reduction in working hours.**—Before proceeding further, I would like to deal with a few general arguments often advanced for or against a reduction in working hours. On behalf of labour, it is urged with a certain amount of emphasis that the worker should not be treated as a commodity but as a human being entitled to equal consideration with his fellow-men. In principle, I am in complete sympathy with this proposition. I look forward to the day when there will be nothing to divide man from man, be it the idea of class or caste, creed or colour. The worker should be encouraged to feel that he is a partner in a common enterprise with the employer. Equality does not, however, necessarily connote uniformity and the standard working hours may reasonably differ according to the degree of intensity or continuity of the employment.

156. It is also claimed on behalf of labour that the hours of work should be reduced so that the worker does not have to approach the point of fatigue and gets sufficient leisure to attend to his domestic, social and civic obligations. While constant fatigue lasting over days and weeks on end is a positive source of danger to health, we must not lose sight of the principle that, within reasonable limits, work is a tonic both for the body and the mind and that occasional lengthening of hours of work is not a thing to be shunned as it tends to develop the worker's capacity and elasticity. Rest or relaxation itself is best enjoyed after a hard day's honest work. With regard to the point that the worker must have adequate leisure, it would be necessary at the same time to train him in the proper utilisation of such leisure.

157. Again it is claimed that reduced hours will bring about increased output. In the case of factories and other industrial concerns generally, this argument has some force but there too upto a point. The law of diminishing returns begins to operate only after a certain stage is reached, whereafter the marginal productivity of labour decreases with the prolongation of hours of work. The experience of the Ahmedabad Mill-Owners, as stated by them before the Bombay Industrial Court has, however, been that as a result of the recent amendment of the Factories Act reducing the hours of work from 54 to 48 production has gone down and increased efficiency has not been able to make up the leeway. Anyhow, whatever force such an argument may have in respect of workshop staff, it has little or no application to workers engaged in railway operation. Such an argument was mooted by Dr. Hyder in the course of the debate on the Indian Railways (Amendment) Bill but Sir George Rainy gave, in my opinion, an

effective reply by pointing out that a reduction in the working hours of such workers would lead to "no increase in the number of trains, no increase in the number of passengers, no increase in the volume of goods carried" which is really the output of the Railway as a traffic carrying concern—the only indirect advantage being perhaps a greater safety from accidents.

158. The analogy of western countries is also quoted as an argument for a corresponding reduction in working hours. Mr. Guruswamy in his summing up stressed this point. Then there is the counter-argument that differences of climate, habits, customs, economic opportunities etc., warrant differentiation between one country and another. This latter argument obviously cuts both ways. It cannot, however, be gainsaid that on railways the amount of work that offers in this country is not nearly so heavy or continuous as in many of the western countries. The element of speed and concentration required in other countries is not always present or necessary to anything like the same extent on Indian Railways. We need not, therefore, copy the western model in regulating the hours of work of railway servants but deal with the conditions as we find them in India. We are, however, bound to take note of and be influenced by the progress of social legislation throughout the world.

159. At the same time it is the bounden duty of workmen, as in other countries, to give of their best to their Administration. They can look back with pride to the part they played during the strenuous war years and should make it a point to maintain and improve upon this record. During my inspection of the goods yard at Trichinopoly I was pained to hear from the Station Superintendent that in pursuance of a "Go-Slow" policy the output of the goods coolies had declined to less than half. Railways are an important national asset and with their administration now in the hands of a popular Government it is earnestly to be hoped that workers will pull their full weight in the larger interest of the country with which is bound up their own ultimate well-being. And it is the duty of labour leaders also to impress this point upon the workers.

160. On the other hand, the comparative inefficiency of the Indian worker is often used as an argument against a reduction in working hours. In the course of the debate on the Indian Railways (Amendment) Bill, Sir Shanmukham Chetty quoted from a report of the United Textile Factories Association from Great Britain published in 1927 in respect of the inquiry made in India in 1926 and suggested that the productive hours of the Indian worker were often less than the period of his employment. Reference was also made to the fact that many more men were employed per mile of railway in India than in America. No effort, however, was made to analyse what this inefficiency was due to. Unhappily the Indian worker lives in a vicious circle of illiteracy, apathy, inefficiency, poor wages and a low standard of living. This must be changed, both in his interest and in that of the country as a whole and the argument of inefficiency is, in my opinion, a poor answer to any well-conceived and integrated plan for improving his conditions. What is really needed is an all-round drive calculated both to improve his lot in life and at the same time to make him an efficient worker and a proud and loyal citizen of the land. His standard of living must be raised and what is equally important, he must be provided with adequate facilities for material and moral advancement; for it is a truism that a man's latent capacity as a rule develops to the extent of the opportunities afforded to him in life. At the same time the State should launch a scheme of adult education in the wider sense of the term so as to enhance the personality of the worker and awaken in him an active sense of duty, discipline and co-operation in all spheres of life—domestic, civic or official. The worker is now getting conscious of his rights but it is of equal importance that he should be educated in terms of his obligations and duty to the Society. In working out such a scheme, it should be the duty and privilege of Unions and labour leaders to co-operate.

161. Apart from such long-term plan, however, some reduction in working hours is necessary on humanitarian grounds, both in the interest of the health of the worker and to afford him reasonable leisure to discharge his essential obligations.

162. **Uniformity of working hours not possible on railways.—Railway operation unlike other industrial concerns.**—Having justified some reduction in the working hours, I now pass on to consider whether the hours of employment can be brought down to a uniform level for the railway staff, as implied in the demand of the Federation for a 42-hour week for all workers. This demand presupposes that there is uniformity of work in all branches of railway service. Under the Factories Act which governs industrial undertakings the work is carried on at a uniform pressure in practically all branches of the undertakings. But in the case of railways it is not so. Chapter III gives some idea of the variety of work involved in railway operation—there are many branches and several categories of staff in each branch. The nature of the work and the degree of its intensity or continuity are different. Unlike other industrial concerns, railway operation is a continuous process which has to be carried on for all the seven days of the week and more or less during the whole of the 24 hours. It follows, therefore, that the staff in operating branches must work in shifts according to a roster—a feature, which, comparatively rare in other industries, is the rule with a great many classes of workers in railway transport. Further, night work which is exceptional in other branches of commerce and industry is inherent in railway operation. The movement of rail traffic must continue day and night. Especially is this the case with goods transport where the principle of loading by day and hauling by night is often applied. And it is not only the hauling of the load that takes place at night but very often all the operations involved in marshalling and inspecting of trains. Thus in addition to the locomotive and train staff a large proportion of shunting, train examining and goods staff has often to work at night. A further consequence of continuous operation is that the staff work on Sundays and public holidays. No doubt in some of the western countries train services are reduced on such days. In India, however, the Sunday and holiday services are maintained at the normal level whether the day is a week day or Sunday or a holiday. Therefore, unlike other undertakings, special provision has got to be made for distribution of the day of the weekly rest among the railway staff.

163. **Divergence in volume of work at various stations etc.**—Moreover the density of traffic on which largely depends the quantum of work which the staff are called upon to do varies from railway to railway, from main lines to branch lines and from junction stations to wayside stations. The density on such railways as the East Indian Railway which passes through a thickly populated country and through some of the highly industrialised areas must be greater than on other railways which pass through less populated areas which are not so highly industrialised. The differentiation is also particularly marked in the work at stations on the main lines as compared with the work on the branch lines. Whereas on the main lines more than 25 to 30 trains, both passenger and goods may be passing each way, there are branch lines on all railways where the traffic is comparatively small, consisting sometimes of two passenger and one goods train each way. Even on the main lines there are wayside stations where the work involved is less than at junction stations. At such wayside stations there are few train stoppages so that the booking of passengers, goods and parcels is comparatively small. A considerable proportion of the staff at wayside stations on the main line and more so on the branch line, is classified as essentially intermittent and rostered to 84 hours a week at present because in a good many cases the actual work involved does not keep the railway servant occupied for more than 4 or 5 hours during his 12-hour shift. But he has all the same to remain on duty as there may be a call from the Train Controller, a special train

suddenly put on or trolleys running along the line. The amount of effective work done at such stations is often very small. For instance at Ramtek, a terminating station on a branch line of the Bengal Nagpur Railway, which we visited, there were one station master and one assistant station master on intermittent duties. The Station Master's duty hours were from 5-30 to 12-30 and from 13-30 to 18-30, and the Assistant Station Master's from 18 to 6. There were only four passenger and two goods trains to be dealt with. It is true that there was no booking clerk or parcel clerk and the Station Master and his assistant had, in addition to line clear work, to do in turn the duties of booking passengers, collecting tickets etc. Even so, a job analysis made on the spot (*Vide* Appendix XVI) showed that the aggregate period of effective work or sustained attention each day normally amounts only to 5 hours in the case of the Station Master and even less in the case of the Assistant Station Master as detailed below:—

Ramtek Station

For Station Master

Time spent in effective work		Total period		Details of work done
From	To	Hours	Minutes	
5—30	6—00	0	30	General Inspection.
7—00	8—15	1	15	Line clear work for one up and one down train, issue and collection of tickets etc.
8—15	8—45	0	30	To record numbers of wagons attached and detached.
9—15	10—00	0	45	To obtain line clear, start goods train and receive in-report.
		1	30	For correspondence, returns, attending to public etc.
		0	30	For goods and parcel work.
Total		5	00	

For Assistant Station Master

Time spent in effective work		Total period		Details of work done
From	To	Hours	Minutes	
18—50	20	1	10	Line clear work for one up and one down train and issue and collection of tickets etc.
20—00	20—30	0	30	To prepare ticket collector's report.
20—30	21—00	0	30	To prepare coaching returns.
4—30	5—50	1	20	To give line clear to the goods train, place it in siding etc.
Total		3	30	

164. With this total work of eight hours and a half within a cycle of 24 hours it would be wasting manpower to provide a continuous roster for three men with 8-hour shifts. It is true that the Station Master and Assistant Station Master have to be on duty for 12 hours a day, but this is not a very great hardship when it is remembered that both of them are provided with quarters near the station. The Station Master, on enquiry, frankly admitted that he had no complaint to make as regards the length of his duty hours: his only difficulty was that he was not free to go to the bazaar during the day.

165. Similarly at Dumrikhurd, a way-side station on the Kanhan-Ramtek section manned by one Station Master and one Assistant Station Master, I found that the effective work performed by them was, if anything, slightly less.

166. In contrast to this, we also examined the work of the Station Master at Kanhan, a way-side junction station on the Bengal-Nagpur Railway. There were one Station Master and two Assistant Station Masters, the Station Master being on duty from 8 to 16 and the Assistant Station Masters from 0 to 8 and 16 to 24. There were 12 passenger and 20 goods trains to be dealt with per day of which 2 passenger and 12 goods trains ran through. The analysis of the work at this station (*Vide* Appendix XVII) suggested that the Station Master particularly was overburdened with work and that there was justification for relieving him of train passing duties for 2 or 3 hours by providing a suitable overlap as in Roster 4 in Appendix XVIII.

167. These examples go to show that the quantum of the work at various stations differs considerably: where it is so light as at Ramtek and Dumrikhurd, two shifts of 12 hours' duty would suffice requiring only one Station Master and one Assistant Station Master and where it is fairly heavy as at Kanhan, not only 3 shifts are essential but it may be necessary to relieve the Station Master of train passing duties for a few hours as suggested. An extreme instance of light work is that of a branch line between Khanpur and Chacharan on the N. W. Railway where there is only one shuttle train on the section and the Booking Clerk or Station Master in charge of the station can conveniently work single-handed in a split-shift. These examples illustrate the futility of attempting uniform duty hours even for the same categories of staff.

168. **Differences in nature of work.**—Again as a result of diversity of occupations, the nature of the work involved varies considerably. At one extreme, for example, is the Train Controller on a heavy section who, as we shall see in a later Chapter, has to work in a state of constant mental tension in recognition of which certain Administrations have already introduced 6-hour shifts for such controllers—a practice which may, on further examination, require to be extended. This may not, however, be true of Train Controllers in charge of lighter sections, even in the same control office. At the other extreme are a few categories of staff such as rest-house choukidars, saloon attendants and gate-keepers at unimportant level crossings whose work is so light, both in its nature and volume, that it would be wasteful to have even 2 shifts. Between these two extremes come the bulk of the railway staff such as the majority of station masters, Assistant station masters, booking clerks, parcel clerks, ticket collectors, train examiners, sweepers, watermen and other labour, whose work is necessarily of a somewhat fitful character and is not carried on at anything like the same pressure as that of train controllers in charge of heavy sections, nor is it so light as that of rest-house chowkidars, saloon attendants etc. For the majority of such staff a continuous roster in three shifts is indicated and for a few, as we have seen, an intermittent roster in two shifts should suffice. These are only illustrations meant to show that having regard to the variety of the work involved in railway operation it is not possible to entertain the plea for uniform working hours for all staff.

169. **Exception from the general standard permitted by the Washington Convention in the case of intermittent workers.**—In the course of the evidence the Federation and the Unions have often invoked the Washington Convention and pressed the analogy of western countries. Even the Washington Convention, however, authorized an exception from the general standard of a 48-hour week in the case of persons whose work was essentially intermittent. For such workers the Convention did not prescribe any maximum limit of the hours of employment, either daily or weekly, but the Indian Railways Act prescribes the limit of 84 hours a week.

170. **Practice in Western Countries.**—The demand of the Federation that there should be uniformity in the hours of employment means that mere presence on duty without normally performing any effective work must be given the same value as actual work. This is contrary to all known systems of regulating the hours of work on railways. In Report V on the "Generalisation of the Reduction of Hours of Work" in Rail Transport published by the International Labour Office in 1938, the then existing position was reviewed at pages 94 to 99, and the following passage, quoted from page 94, would be of interest:—

"As stated, duty may comprise not only actual work but also periods of light employment (attending engines, caretaking, time spent travelling as passenger) and of mere attendance (time spent in reserve or waiting). As these periods are as a rule not counted in full as actual work, they justify the fixing of a larger total for hours of duty than is laid down for hours of work.....

"In most countries.....account is almost always taken of periods of inaction, either by reducing them by means of percentages or coefficients, to terms of actual work, or by permitting longer hours for occupations which include periods of partial activity or mere attendance." The object of the coefficient method is "to give light work or mere attendance a nominal value in terms of actual work. The resulting figure is then added to the hours of actual work in fact performed, so that the total represents in reality a longer period of availability of the employee concerned.....Periods of mere attendance occur mainly in departments closely related to the movement of traffic. In these departments, they occur between the passage of trains, and the employees have then no other obligation than to remain at their post and reply to any calls.....The following coefficients of reduction are applied to periods of mere attendance in various countries:—

25 per cent.—Portugal, for train staff (waiting periods);

50 per cent.—Argentina, for station staff (intervals in work between departure of one train and arrival of next); France (emergency reserve); Greece, for train staff (reserve); Italy for train staff (availability for duty exceeding half an hour); and Spain, for train staff (time spent waiting and in reserve);

662/3 per cent.—Denmark, for train and station staff (available for duty)."

In Austria the periods of mere attendance are reduced to terms of actual work by applying the following percentages:

For train staff.....60 per cent.

For station staff such as shunters, pointsmen, telegraphists on the main lines with uninterrupted service day and night ... ... 60 per cent.

For other station employees ... ... 50 per cent.

In Germany the time during which the staff is not required to work but must remain at the place of duty counts as hours of actual work at the following rates:

For permanent way staff—33 1/3 per cent.

For traffic staff—50 per cent.

For train and enginemen not required to attend engines—50 per cent.

For enginemen required to attend engines—80 per cent.

"In Switzerland time spent travelling as passenger or in reserve and other periods of mere attendance count for half their actual duration."

171. The other system is to fix hours of duty according to the amount of actual work they include; for example in Argentina and Czechoslovakia, the hours of duty are longer than the hours of actual work fixed for the department in which the work includes periods of mere attendance or partial activity provided the time of actual work included does not exceed the prescribed maximum. This maximum is sometimes equal to and sometimes lower than the normal provided for hours of work. In Argentina, for example, "for employees engaged in intermittent work, hours of duty may be extended to 12 in the day provided the number of hours of actual work does not exceed 8 for day and 7 for night duty, averaged over a period of 21 days." "In Czechoslovakia, the duration of duty which includes mere attendance as well as actual work may be extended according to need beyond the normal limit of 192 hours in a period of four weeks; but the total duration of actual work may not exceed 144 hours in four weeks."

172. In India the Regulations adopt this latter method by which the hours of employment are longer than the normal working hours where they include long periods of inaction. Thus the Hours of Employment Regulations follow what seems to be the universal practice of drawing a distinction between employment in which there are few or no periods of inaction and that in which there are long periods of inaction. I have not been referred to any country in the world where the period of inaction has been treated as equivalent to a period of actual work—a proposition which is implicit in the demand of the Federation for a uniform 42-hour week for all classes of railway servants.

173. **Exclusion justified in some cases.**—Again even the Washington Convention specifically excludes persons holding positions of supervision or management or those employed in a confidential capacity. According to the I. L. O. Report on Generalisation of the Reduction of Hours of Work, referred to above, a fairly frequent type of exclusion on this ground is that applying to staff "who fix their own hours of duty either owing to the importance of their position or to the requirements of their work." Such staff should naturally regard it as a part of their normal duty to work according to the requirements of the service without any specific prescription of maximum duty hours or periodic rest. Assuming that the strength of the staff is adequate, their working conditions will not, on the whole, involve any special hardship in these respects. The same principle must, in the interest of the greatest good of the greatest number, apply to assistant surgeons, sub-assistant surgeons, matrons and sisters-in-charge.

174. Moreover as already mentioned there are a few categories, namely, rest house care-takers, saloon attendants and gate-keepers at unimportant level crossings whose work is so light that their exclusion from the Regulations is justified. Even the I. L. O. Report on Generalisation of the Reduction of Hours of Work referred to above, suggests long hours of duty for such classes: "in the case of crossing gate-keepers who are housed the hours may be regulated with the maximum of 72 hours a week and in the case of care-takers who are housed provided their duties include no function not usually performed by care-takers, there will be continuous service with a weekly rest".

175. **Views of Labour Commission.**—The Royal Commission on Labour also expressed much the same opinion. At page 159 they observed:

"Work in railway varies greatly from branch to branch, and it is not possible to apply to such work uniform treatment on the lines applicable to work in factories and mines. In consequence a limit designed to cover all persons employed more or less continuously may be too high for certain classes of work, whereas a limit based on the requirements of those workers from whom most is demanded would be unjustifiably low if generally applied".

176. **Reasons for rejecting Federation's demand for uniform working hours summed up.**—To sum up I find it impossible to accept the Federation's demand that there should be uniformity in the hours of duty of all railway servants on the following grounds:—

(1) The Washington Convention expressly permitted the exclusion of essentially intermittent workers from the general standard of a 48-hour week.

(2) The claim is not supported by the practice in other countries of the world.

(3) Having regard to the diversity of the work of railway servants, both as regards its nature and volume, as pointed out in paragraphs 163 to 168 and also in the report of the Royal Commission on Labour, it would be neither feasible nor proper to prescribe uniform working hours for all railway servants.

177. Even on behalf of the Federation it was recognised by its Vice-President, Mr. M. A. Khan, at the meeting held on 11th September 1946, that the demand of a 42-hour week was put forward as a general principle to which exceptions might be made in certain cases, *e.g.*, for intermittent workers whose total duty hours might be longer, provided the hours of effective work were kept within the maximum of 42. Mr. Guruswamy also in his summing up agreed that longer hours of duty might be justified in a few cases where work was light.

178. **Evidence of Union witnesses.**—In the course of evidence many witnesses came forward to support the Federation's demand for a 42-hour week. but I cannot help feeling that they did so in spite of their better judgment and perhaps out of a sense of loyalty to the Federation. Some who complained about having to work beyond rostered hours, when asked whether they would be satisfied if arrangements were made to avoid this, readily agreed that they would not have any objection in that event. Similarly many witnesses who complained about certain workers being classified as essentially intermittent stated at the outset of the cross-examination that they would have no grievance left if those employees were made continuous and put on a roster of 8 hours' duty. But when all these witnesses were reminded, in the course of the re-examination, that this acceptance of an eight-hour duty roster meant at least a 48-hour week, and, to that extent, was inconsistent with the demand put forward by the Federation, the witnesses veered round to the demand for a 42-hour week. Asked as to whether the duties of a Station Master were not as a rule heavier than those of a pointsman, the Union witnesses admitted that some differentiation was justified and then went on to suggest that if a 7-hour or 6-hour shift was the maximum which any railway employee would be called upon to undertake, then in the case of the busy and responsible type of workers the hours of duty should be even less than six. This kind of evidence was hardly likely to commend itself to me. On the other hand, there were several witnesses who frankly admitted that an eight-hour duty in their case was not too strenuous and some even acknowledged that the working hours should be based on the nature and volume of work and that the essentially intermittent class could not be altogether abolished.

179. **Evidence of Representatives of the Labour and Railway Departments.**—Turning now to the evidence of the witnesses representing the Labour Department and the Railway Administrations, all the three Regional Labour Commissioners, Messrs. Talib, Seth and Jadhav, in charge of the Western, Eastern and Southern Zones respectively, and two of the three Labour Inspectors who gave evidence, suggested 6-hour shifts for employees such as Section Controllers whose work might be regarded as particularly strenuous. The evidence of some of the witnesses who appeared on behalf of the Railway Administrations, *e.g.*, Mr. Cannel, D. T. S., Bengal-Nagpur Railway, and Mr. Bahadur Chand, Traffic Inspector, N.-W. Railway, also lends support to the demand for shorter hours for such employees at places where they do not get adequate respite from strenuous work. As for the rest of the staff there was unanimity of opinion among the representatives of the Labour and Railway Departments that the three divisions, namely, continuous, essentially intermittent and excluded, should remain, the classification being determined according to the nature and volume of the work, but many of them suggested some liberalisation in the present rules in this respect.

180. **General conclusions with regard to classification of staff etc.**—The main conclusion which emerges from the discussion of the Federation's demand for a 42-hour week may now be briefly stated. While the existing hours of work of railway servants call for a reasonable reduction, the demand for uniform working hours for all is one which it is not possible to accept. Having regard to the nature and volume of their work, it is proposed to classify the employment of railway servants under any one of the following heads:—

(1) **Continuous.**—This will cover the vast majority of railway servants, whether engaged in a continuous or non-continuous process. If employed in a continuous process, they will work in three shifts and their actual working hours will normally be 8 a day, which in my opinion is a fair limit in the case of men working at reasonable pressure. In the case of continuous workers, employed in a non-continuous process, the pressure of their work is often relieved by providing an interval for meals, etc., in the middle of their duty hours and as we have seen in Chapter V, it has been possible to provide them with a weekly rest including one day and two nights. According to the recommendation of the Bhore Committee which included distinguished members of the medical profession, it would be not unfair to call upon factory workers to work for 8 hours a day. The conditions under which work is carried on in a workshop or factory make their work perceptibly harder than that of gangmen, artizans, and other labour in the other branches of the railway and the daily hours of duty of the latter may, therefore, be a little more than 8, provided that the weekly hours are kept within the statutory maximum which might be fixed for continuous workers.

(2) **Intensive.**—This nomenclature should apply to those employed in specially strenuous work, *e.g.*, train controllers on important sections, where it is found that the duty hours include little or no periods of relaxation. For such persons, whose number will be small, an 8-hour day would ordinarily be too arduous. As we shall see in a later Chapter, such staff would generally be employed in a continuous process and for them four shifts normally of 6 hours each will be necessary.

(3) **Essentially Intermittent.**—This classification should remain for persons whose employment involves long periods of inaction. Their maximum duty hours would ordinarily be 12 a day, but with an aggregate of six hours of inaction as suggested in the new formula visualised by the Railway Board, their effective work would not be more than six hours a day. In the case of such staff, if

employed in a continuous process, 2 shifts of 12 hours each would suffice. The precise extent to which the existing definition of the term "Essentially Intermittent" needs liberalisation will be considered in a subsequent chapter.

(4) **Excluded.**—This class may be limited to the following:—

(*a*) persons holding positions of supervision or management or those employed in a confidential capacity;

(*b*) members of the medical profession (assistant surgeons and sub-assistant-surgeons), matrons and sisters-in-charge;

(*c*) a few specified categories, namely, rest-house care-takers, saloon attendants and gate-keepers at unimportant level crossings whose work is regarded as very light. The effective work in such cases will be so small that one person can easily attend to it during the 24 hours.

181. **Principles governing periodic rest.**—With regard to the second term of reference concerning periodic rest, the principles to be followed are self-evident. The Federation in its statement of demands asked for a weekly rest of not less than 32 consecutive hours including a calendar day for all workers including those now designated as essentially intermittent, but in the course of his summing-up, Mr. Guruswamy was inclined to the view that a weekly rest including a full day and a full night should suffice. It is obvious that weekly rest should normally compromise two elements, *viz.*:—

(1) rest as relief from work; and

(2) a reasonable amount of leisure to attend to domestic and social obligations.

For (1) a full night in bed is a *sine qua non* and for (2) a full day or at least some spare hours during the day are necessary. The evidence collected revealed a large consensus of opinion in favour of allowing such rest to essentially intermittent staff as well as to continuous workers (including those who will hereafter be classed as intensive) although the exact amount may be slightly less in the case of the former. Even the Railway Board in their letter of 9th February 1946 visualised the grant of 24 consecutive hours' rest to essentially intermittent workers, but unless such rest includes a clear night in bed it loses much of its value. Further, weekly rest should normally be given through the employment of relieving staff so as not to cause the hardship of an inconvenient "long-on" or "short-off". Such relieving staff will have to be earmarked for this specific purpose and may be called rest givers to distinguish them from the relieving staff now maintained for leave and other purposes. It should ordinarily be possible to post a proportion of rest givers at large stations where there may be an adequate number of men of the same category or group to claim weekly rest but even in respect of small stations where this condition would not be satisfied the trend of the evidence showed that no serious difficulty would arise in posting the rest givers at convenient points in order to minimise the number of unproductive days. The case of excluded workers stands on a somewhat different footing and will be dealt with at a later stage.

182. In the succeeding chapters, I shall define the precise scope of each of the four classes named in paragraph 180 and recommend the specific provisions to be made with regard to their periodic rest and weekly hours of employment. Before doing so, however, it would be useful here to discuss in detail the content of the term "hours of employment" so that in considering the new limits proposed in this respect for the various classes, we may be quite clear in our minds as to what is connoted by this term.

183. **Present definition of "Hours of Employment".**—The term "Hours of Employment" is defined in the State Railway General Code as under:—

"This term refers to time during which an employee is at the disposal of the employer. It includes effective or continuous work and periods of inaction when the worker must be present on duty, although not exercising physical activity or sustained attention. It does not include 'intervals' when the employee is free to leave his place of work. Certain staff are given quarters near their place of work so that they can be 'on call' in case of necessity, but being 'on call' does not constitute 'employment' in this connexion. Time taken in going between an employee's place of residence and his place of work (or the employee's headquarters from which he travels to his place of work) does not constitute hours of employment".

This definition must be read with Supplementary Instruction No. 5 which slightly modifies it and provides that in the case of essentially intermittent workers, the time spent in travelling between their headquarters and any other station at which they may be deputed for duty shall be included as hours of employment upto a limit of 35 hours in a week.

184. **Definition suggested by the All India Railwaymen's Federation.**—In its Statement of Demands, the All-India Railwaymen's Federation suggested that the term "Hours of work" should be defined to mean the time during which the person employed is at the disposal of the employer and is not free to dispose of his own time and movements. In this connection, the Federation asked that credit should be allowed for:—

(1) time spent in travelling as passenger on duty;

(2) time spent in reserve at the station or depot or in waiting;

(3) time spent at home available for duty; and

(4) time spent on subsidiary work as for preparatory processes or closing of registers and accounts.

At the meeting held on 11th September 1946, Mr. M. A. Khan, Vice-President of the Federation, agreed that such credit may be full in some cases and partial in others.

185. I prefer the retention of the term "hours of employment" in the Regulations as it includes both hours of action or effective work and any hours of inaction when the employee is present at the place of duty but is normally not expected to be actively working. I shall now examine the four demands of the Federation in this connection.

186. **Time spent in travelling on duty and how it should be treated.**—With regard to (1), as we have seen, the time spent by an essentially intermittent worker in travelling between his headquarters and any other station to which he may be deputed for duty is allowed to be included in the hours of employment upto a limit of 35 hours a week, but no such credit is allowed to continuous workers. The limit of 35 hours as well as the wholesale exclusion of continuous workers from any such concession is more or less arbitrary and having regard to the Federation's demand and the general trend of the evidence, I think that this question must be dealt with on certain broad principles. When travelling as a passenger on duty, an employee is only partially at the disposal of the employer and has partial freedom to do what he likes. He is not subject to the same discipline as an employee on duty. Besides, travelling by rail on duty should be regarded as a normal incident in railway service. There is no doubt, however, that, except when the journey is a short one, travelling in lower classes involves some fatigue though not to the extent that actual duty does and as the employee is not the master of his time during such time, I recommend that—

(1) short journeys not exceeding 4 hours be totally disregarded—a suggestion which was concurred in by certain Union officials and witnesses.

(2) In the case of longer journeys, full credit be allowed to essentially intermittent and 2/3rds to continuous workers in respect of the excess over 4 hours. A lower proportion is suggested for continuous workers as their hours of duty are fixed at a lower limit, usually 2/3rds of the limit fixed for intermittent workers, on the idea that they have little or no periods of inaction during their duty hours.

187. On practical grounds a journey during the normal rostered hours of duty is usually reckoned as duty and the present practice in this respect may remain undisturbed. Again, on practical grounds on the other hand, I make no distinction between day and night journeys in the formula suggested, though a journey at night, without adequate accommodation, is, of course, more tiresome.

188. The method suggested above will apply to relieving staff, artisans sent for repair work, clerks proceeding on tours, running staff travelling as passengers, etc., for whom no special facilities are ordinarily provided and who are not normally engaged in any work during the journey. In the case of certain travelling staff, such as, travelling van clerks and porters, store line distributors, pay clerks and catering staff attached to restaurant cars, the Administrations ordinarily provide special travelling facilities in the shape of a van or a compartment and the staff work for some time and rest for other time when so travelling. Though in the majority of cases their duties would be of an intermittent nature, using this word in its ordinary sense, it is not possible to frame a daily roster for any such staff and the definition of "essentially intermittent" under which periods of action and inaction are measured in terms of a normal daily roster cannot, therefore, be made applicable. In the circumstances I suggest that their hours of employment be limited to the maximum suggested for continuous workers, though, in computing such hours for this purpose only a limited credit say 25 per cent. should suffice for such of the time spent in travelling during which they normally do little or no work. Full credit should however be allowed for such of the time spent in travelling (including halts) during which they are expected to be fairly busy as well as for the estimated time required for taking and making over. The calculation will vary for the various categories and even within some of them and will have generally to be based on reasonable estimates of the normal monthly work but the principle will be uniform. Thus, in the case of travelling van clerks and porters, credit may be given for the duration of the actual halts when they are more or less busy and say 25 per cent. for the time when the train is in motion. Similarly, pay clerks may be allowed credit at say 25 per cent. when the train is in motion as well as in respect of halts at stations where they are normally expected to do little or no work and full credit for halts at stations where they are expected to be fairly busy. In the case of catering staff attached to restaurant cars, full credit may be allowed for certain periods of the day when they are usually kept more or less occupied, whether the train is moving or halting at stations and say 25 per cent. for the other time occupied in travelling when they do little or no work. Reasonable credit will have to be given in all cases for taking and making over and this will have to be estimated for each category, etc. An estimate of the total working hours may be made more or less on the basis suggested subject to revision every six months or so with periodical changes in the time-table.

189. In the case of spare crew travelling in crew vans, no credit either for halts at stations or when the train is in motion will be necessary as they are supposed to be on rest for the whole of such period. As suggested later, however, it will be necessary to improve the condition of crew vans so that they may be in a position to enjoy adequate rest.

190. The method suggested in paragraph 188 need not apply to travelling staff who usually work to a daily roster, such as travelling watermen, travelling watchmen and travelling booking clerks. Their classification can be determined

in the light of the definition prescribed for the term "essentially intermittent" and their working hours regulated accordingly. My proposals with regard to the time spent in travelling are only in the nature of suggestions and it should be open to the Railway Board to devise, if possible, a simpler and more equitable formula which may also be acceptable from the workmen's point of view.

191. **Waiting duty.**—With regard to the second point, concerning time spent in reserve at the station or depot or in waiting, credit should be allowed in full if and when the employee is at the place of duty and not resting, as during such time the employee is present on duty though it may be a period of inaction. This accords with the usual practice in the case of Station Duty Guards at certain large stations. This proposal will however not apply to waiting in a store van, reserved compartment, etc., pending starting of a train for which the staff may be booked; for such time credit should be allowed on the basis suggested for time spent in travelling.

192. **Time at call.**—The third demand that credit should be allowed for time spent at home available for duty cannot be accepted. In the course of the evidence, it was suggested that employees were sometimes tied down to their homes in their off-duty hours so that they may be available for duty as soon as they were required. While railway staff connected with the working of trains are liable to be called on duty, if necessary, the Administrations should not, as a rule, object to their leaving their homes, though not their headquarters, so long as they leave an intimation behind as to where they may be found in the event of necessity. An allied point is the Federation's demand that employees not housed near the place of work "should be given more liberal standards". While it is true that there is shortage of railway quarters at large stations, it often happens that in the same category a proportion of the staff are housed and others not housed near their place of work and it would be very difficult to make any distinction in the hours of employment on this score. On general grounds also I am unable to suggest any change in Subsidiary Instruction 5, which provides that the time taken by an employee in going to and from his place of residence should not be included in the Hours of Employment.

193. **Time for taking and making over charge.**—With regard to item (4) the term "Hours of Employment" must unquestionably include the time which may be required by an employee on a reasonable estimate to take and make over charge, unless of course, it is insignificant *i.e.*, under 15 minutes, in which case on practical grounds it may, as agreed to by one Union, be disregarded. At present no credit is allowed for such time in the case of staff falling under the Hours of Employment Regulations. As already mentioned, a case in point is that of booking clerks at large stations. In their case the process of completing the accounts, closing cash, etc., may require about half an hour to one hour possibly more in exceptional cases and as the employee is actually at work, he is entitled to full credit. My concrete proposals for the computation of the time required for taking and making over for continuous, intensive and essentially intermittent workers are given separately in the chapters that follow.

CHAPTER VII.—CONTINUOUS WORKERS.

194. **Scope.**—I shall now seek to define the scope of each of the four classes named in paragraph 180 of the preceding Chapter and make my recommendations with regard to their periodic rest and weekly hours of employment. This chapter will be confined to continuous workers who will form an overwhelming majority of railway servants governed by the Hours of Employment Regulations. With regard to the scope of this class, it will cover all such servants with the exception of—

(1) persons who may be classified as intensive on the one hand or essentially intermittent on the other; and

(2) persons who may be excluded from the Hours of Employment Regulations, *vide* paragraph 180 in the preceding Chapter.

195. **Weekly rest—Present and proposed.**—Under the existing Regulations continuous workers and they alone are entitled to weekly rest of 24 consecutive hours. As stated in Chapter V continuous workers employed in a non-continuous process as a rule enjoy adequate weekly rest which usually includes one calendar day and two nights. In the case of continuous workers employed in a continuous process, however, the vast majority get 24 consecutive hours' rest in a week, not coinciding with a calendar day, and what is worse, such rest with a few exceptions is not given by means of relieving staff and therefore involves awkward "long-ons" or "short-offs". As we have seen, this feature of the existing rosters has evoked fierce opposition and the Railway Board themselves in their letter of 9th February 1946 envisaged the possibility of providing periodic rest through the employment of relieving staff. No time should be lost in effecting this long-delayed improvement in the case of continuous workers in order to eliminate "long-ons" or "short-offs" wherever they occur at present. Then the Railway Board in their letter referred to above speak of a calendar day's rest. Literally interpreted, this would mean from mid-night to mid-night. I do not, however, think that such was the intention of the Board, as any such rest would not include a full night in bed. What the Board presumably had in mind was to add 24 hours to the daily rest which the railway servants enjoy under the existing rosters. I suggest that the needs of the case will be met if the weekly rest in the case of a continuous worker provides for a full night in bed *plus* a full day, the former for the purpose of rest and the latter to enable him to attend to his domestic and social obligations. Thus if weekly rest were given from 8 a.m. to say 8 a.m. the next day, it would, in my opinion, fulfil its purpose, and in this view several witnesses concurred. The same purpose would not be equally fulfilled if the railway servant had rest from 12 noon to 12 noon. Although such rest would give him a full night in bed, it would hardly enable him to attend to his domestic and other duties properly. It is not unlikely that on the day of the weekly rest, a railway servant may want to go out for a whole day for a little excursion. I therefore think that the weekly rest for continuous workers should be a minimum of 30 hours: this would virtually include a full day and a full night and incidentally facilitate the change of shifts in the case of persons employed in a continuous process. Mr. Guruswamy was also inclined to interpret the Federation's demand for a weekly rest of 32 consecutive hours including a calendar day in the light of a full day and a full night. This view was also expressed by several witnesses.

In the case of mates, keymen and gangmen and artisans and unskilled labour employed for temporary purposes, periodic rest may however be given on the lines laid down in Rule 6A of the Hours of Employment Rules *i.e.*, a calendar day's rest each week or at the discretion of the Railway Administration, an equivalent number of consecutive days upto a limit of three. Experience has shown that the latter alternative is some times preferred by the employees concerned to enable them to visit their homes.

196. **Weekly hours of employment—Sample Rosters.**—Having considered what should be the normal daily working hours and periodic rest in the case of continuous workers, I naturally pass on to the statutory limit to be recommended with regard to their weekly hours of employment. Those employed in a continuous process will work in three shifts and after providing for a weekly rest on the lines recommended in the preceding paragraph it should be possible to frame a roster for the vast majority of them (see roster 1 in Appendix XVIII) in which their weekly hours of shift duty will aggregate 50 hours and 40 minutes on an average in a month. In fixing a statutory limit, however, it is necessary to leave some margin, *e.g.*, for taking and making over, which must be treated in future as part of the hours of employment. True, the majority of the staff

take only a few minutes for this purpose which it would be as well to ignore on practical considerations. In other cases, it would be reasonable to make an allowance in round figures at the rate of—

(1) half an hour a day or three hours a week when such time is estimated to be 15 minutes and over but under 45 minutes; and

(2) one hour a day or six hours a week when it is estimated at 45 minutes or over.

In cases of the type falling under clause (1), *e.g.*, certain booking clerks at fairly large stations, it may be possible either to frame a roster with a slight overlap on the lines of roster 2 in Appendix XVIII or to add a footnote to roster 1 to the effect that in addition to the duty hours specified in the body of the roster, the staff concerned will be given credit and assumed to have worked for three hours extra per week for taking and making over. In cases of the type falling under clause (2), *e.g.*, booking clerks at very large stations, it may be advisable to adopt a roster on the lines of Roster 3 in Appendix XVIII which allows for an overlap of one hour in each shift, but in consideration thereof provides for the grant of a longer weekly rest through the employment of relieving staff for three days in a week as against two days at stations where rosters 1 or 2 might apply.

197. Similarly at stations where there are one station master and two assistant station masters, it may be necessary for one of the latter to relieve the station master of train passing duty for some time so that he can complete goods work and correspondence and for this purpose to provide for a suitable overlap on the lines suggested in Rosters 4 and 4A.

198. Having regard to the various types of continuous workers engaged in continuous and non-continuous process and to the principle that overtime should accrue not as a normal feature but only when a person is required to work overtime in special circumstances, I recommend as under:—

(1) The statutory limit of the hours of employment for continuous workers should be fixed at 54 a week on the average in a month

(2) In the majority of cases, however, the rostered hours of duty in a continuous process will be under 51. Allowing for a slight margin of an hour, I would suggest that an executive order should be issued in the form of a Subsidiary Instruction that the rostered hours of continuous workers, whether in a continuous or non-continuous process, should not normally exceed 52 a week on the average in a month except with the personal sanction of the General Manager, and only in a few special cases, *e.g.*, of the types mentioned in the preceding paragraphs.

(3) In the case of gangmen, keymen, etc. the time taken for going from the tool box to the place of duty and *vice versa* should be included in their hours of employment for the purpose of the 52 hours' limit recommended for the rostered hours of a continuous worker.

199. It will be seen from the above that while the statutory limit has been fixed at 54 hours a week for reasons already explained, the aim should normally be to work to a 51 or 52 hours' limit for continuous workers, save in a small percentage of cases where owing to factors peculiar to railway operation it becomes necessary to exceed this limit. Further as already indicated, credit should be allowed on a reasonable estimate for the time required to take and make over and the total hours of employment, including such time, should not exceed the statutory limit of 54 hours save in exceptional circumstances when a man may be exempted from the said limit subject to the payment of overtime at the favourable rate prescribed in the Regulations.

CHAPTER VIII.—INTENSIVE WORKERS

200. I shall deal in this chapter with the case of those categories of staff whose employment can be classified as intensive and for whom an 8-hour day would ordinarily be too arduous.

201. **Intensive work defined.**—I would define the term as under:—"The employment of a railway servant may be said to be intensive when it has been declared to be so by the Head of the Railway on the ground that it is of a strenuous nature, involving continuous concentration or hard manual labour with little or no periods of relaxation—

NOTE.—Under this definition two factors must be present, namely:—

(1) strenuous nature of the work tending to cause mental or physical strain, and

(2) continuous application to such work with little or no periods of relaxation".

In considering the first factor, regard must be had to continuous concentration or hard physical labour demanded of the railway servant, as also to the conditions under which the work has to be performed.

202. **Views of Railway Administrations regarding staff whose work is specially arduous.**—In our questionnaire the Railway Administrations were asked to indicate the staff whose work may be classed not merely as continuous but as specially arduous or intensive; and in reply the following main categories, at large or busy stations were named by the various Administrations:—

Groups and categories of staff	Railways by which named
1. *Controllers.*—	
(a) Train controllers	B.A., E. I., B. N., G. I. P., N. W., M. & S. M., S.I., B. B. & C. I.
(b) Power Controllers	B. N.
2. *Line clear staff.*—	
(a) A. S. Ms.	B. A., M. & S. M., B. N.
(b) Cabin A. S. Ms.	B. N.
(c) Cabin Assistants	B. A., E. I. & G. I. P.
(d) Train despatchers	N. W.
(e) Signalmen	M. & S.M.
3. *Yard staff.*—	
(a) Shunting porters or coupling pointsmen.	B. A., N. W., O. T., M. & S. M., S. I.
(b) Shunters or shunting masters and gunners.	B. A., B. N., G. I. P., O. T., M. & S. M.
(c) Yard S. Ms. in big marshalling yards	S. I.
(d) Yard staff in big marshalling yards. .	B. N., N.W.

Groups and categories of staff	Railways by which named
4. *Booking & goods clerks*	B. A., G. I. P., O. T., M. & S. M., N. W. (for booking clerks).
5. *Signallers, wireless operators and telephone Operators.*—	
(a) Signallers	G. I. P., M. & S. M.
(b) Wireless Operators	B. N.
(c) Telephone or exchange Operators	B. A., E. I., B. N., G. I. P.
6. *Loco running staff.*—	
(a) Engine drivers	B. A., B. N., B. B. & C. I., (M. & S. M. in certain sections).
(b) Firemen	B. A., E. I., B. N., B. B. & C. I., (M. & S.M. in certain sections).
7. *Levermen or cabinmen pulling levers*	B. A., E I., G.I. P., N.W.
8. *Certain classes of laburers, e.g.*—	
(a) Shed fitters and boiler makers	B. B. & C. I.
(b) Boiler room attendants riggers, oilers.	B. N.
(c) Fitters in train examining stations and sheds and oilers (electric).	M. & S. M.
(d) Mates, keymen and gangmen (between Virar and Bombay).	B. B. & C. I.

With reference to this long list, I understand that the replies received from the Administrations were merely based upon remarks collected from the various heads of departments and were not intended to reflect the considered views of the Administrations, or necessarily suggest any reduction in working hours.

203. **Examples of categories whose work may be said to be strenuous.**—From the trend of the evidence collected and my local inspections, I think that the following categories of staff at very busy stations are employed on work which may be regarded as of a strenuous nature, fulfilling the first of the two conditions specified in paragraph 201 *supra*:—

(1) Section controllers.

(2) Staff employed in line clear work.

(3) Yard staff such as yard foremen, gunners, shunting or coupling jamadars or shunting or coupling porters.

(4) Signallers whom it may be necessary to employ continuously on heavy circuits.

(5) Wireless operators.

This list is not meant to be exhaustive and it should be open to the Administrations to add to it in the light of the principles already indicated. On the other hand, the mere fact that an employee's work is of a strenuous nature does not

establish his claim to be classified as intensive unless on a job analysis it is found that continuous application to such work is demanded of him with little or no periods of relaxation.

204. **Description of the duties of these categories.**—It is necessary at this stage to give a brief description of the duties performed by the categories of staff whose work may in my view be regarded as of a strenuous nature.

205. **Section Controllers.**—A Section Controller on his taking over duty has to get himself familiar with the load of each train along with the number of the engine and the names of the driver and guard of each train in his section. He has to be in constant touch with the movements of all trains within his section and to note down on the chart before him the actual times of the departure of the trains from, and arrival at, the respective stations. He has to direct the movements of trains in his section so as to eliminate all avoidable detentions. In particular he has to arrange crossings of trains on single line and also to decide the precedence of trains moving in the same direction. He has to talk almost continuously to the various stations giving orders to the station masters and when necessary, to the running staff. We had an occasion to visit the Control Office at Howrah from where the following five sections are controlled, *viz.*,

(1) Howrah-Bandel,
(2) Naihati-Burdwan,
(3) Burdwan-Ondal,
(4) Dum Dum-Palla Road, and
(5) Bandel-Baharwah.

All the controllers at Howrah, and for that matter on the whole of the E. I. R., are employed in 8-hour shifts. We were informed in the course of our inspection that the Burdwan-Ondal section was the heaviest and on a job-analysis it had been found that during his 8-hour shift the Controller in charge of this section was fully occupied to the extent of 96 per cent. of his time. The other sections were also heavily worked and we were informed that probably 80 per cent. of the time would be found to be fully occupied, except in the Bandel-Baharwah section where it was thought that the Controller would be occupied to the extent of 60 per cent. of his time. Our inspection of the Control Office at Royapuram (M. & S. M. Rly.) also showed—and this view was shared by the railway officers accompanying us—that some of the sections were too heavy for an 8-hour shift.

206. In recognition of the specially arduous nature of the work of the Section Controllers, as recognised by practically all the witnesses who gave evidence on the point, several Administrations, namely, G. I. P., B., B. and C. I., S. I., N. W., and B. A., Railways have already introduced 6-hour shifts or a 42-hour week on certain heavy sections. On the other railways, that is, M. & S. M., O. T., E. I. and B. N., 8-hour shifts and 56-hour week still obtain for all controllers. It will now be necessary for all Administrations to examine the work of each Controller with a view to classifying his employment as intensive where the second condition is also fulfilled. The duties of Power Controllers are quite distinct from those of Train Controllers and do not ordinarily involve a high degree of mental strain. The present arrangement of employing them, as well as Deputy Controllers, in 8-hour shifts appears reasonable.

207. **Staff doing line clear work.**—Line clear work at small stations is entrusted to assistant station masters and station masters, at large stations the block instruments used in connection with line clear work are usually operated from the cabins by employees variously designated, *e.g.*, Cabinmen (G. I. P. and O. T.), Cabin Assistant Station Masters (E. I.), Cabin Assistants (B. A.), Block Signalmen (B., B. and C. I. and M. & S. M.) and Signalmen (S. I.). On

the N. W. Railway at very large stations "train despatchers" are employed for this purpose. There has been a demand on several railways that the hours of duty of line clear staff at very large stations should be reduced from 8 to 6. We had a witness on the North Western Railway who gave a detailed description of the work done by a train despatcher and we had also an opportunity to visit the Train Despatchers' office at Lahore. The main duty of this class of staff is to give and obtain line clear for all in-coming and out-going trains and to instruct the cabinmen to operate the signals and points. In addition he has to attend to shunting movements. He has numerous telephones about him and he has to be in constant touch with the station master, the control office and the cabins from where the levers are operated. In fact the intensive nature of the work done by some of the train despatchers has been recognised on the North Western Railway and the train despatchers at Lahore, Delhi, Amritsar and Jullundur have been placed on 6-hour shifts. The witness who gave evidence before us came from Saharanpur where there were 8-hour shifts which have, I understand, since been replaced by 6-hour shifts.

208. I had occasion also to visit several cabins on various railways. Line clear work at very busy stations requires mental concentration, whether it is done by a train despatcher from a central place as on the N. W. Railway or by cabin assistant station masters or block signalmen from cabins as on other railways. It is true that on sections with track circuiting the risk of accidents is considerably reduced. Nevertheless the work demands mental alertness and continuous concentration.

209. Almost all the witnesses who appeared on behalf of the Railway Administrations and the Regional Labour Commissioners and their Inspectors have been of the opinion that this class of railway servants—along with train controllers—at busy stations should be considered for a reduction in working hours where this is justified by the volume of work. In fact the G. I. P and B. A. Railways have already introduced 6-hour shifts for line clear staff in important cabins on the suburban service and what is now necessary is that a general examination should be undertaken with a view to classifying such staff as intensive, where they get little or no respite from their strenuous work. Dealing with line clear staff employed in cabins, I must also refer to levermen working under them. As suggested by some Railways, *vide* item 7 of the list in paragraph 202, the task of manipulating levers is of an arduous character but where the number of levers is large and in shifts in which the pulling of levers is a fairly constant process, relief has already been provided as a rule by posting two levermen in such cabins and shifts. It will however be necessary for Administrations to review the position and provide relief, where necessary, by posting additional staff or introducing shorter hours.

210. **Signallers employed on heavy circuits.**—The general demand of the signallers has been that they should be put on the same footing as telegraphists of the Post and Telegraph Department. But there is some distinction in the standard of competency expected from the signallers and the telegraphists. The speed expected from signallers is less than that in the case of telegraphists, although it must be said that in the case of signallers the task is made more difficult by having to telegraph code words and numbers. At present no Administration has introduced 6-hour shifts for any signallers. It would appear that as a general rule, it is possible to give signallers employed on heavy circuits in large railway telegraph offices reasonable relief from signalling work and wherever this is or can be done, it may not be necessary to classify them as intensive. The E. I. Railway, however, expressed the view that it was necessary at certain places to employ experienced signallers continuously on heavy circuits. In a few isolated cases in which this may be necessary, whether on this or on any other Railway, I consider that an 8-hour shift may ordinarily be too arduous and the question of classifying such signallers, if any, as intensive

should, therefore, be considered by the Administrations with due regard, however, to the fact that work which may be strenuous for a junior signaller may not be so for an experienced one.

211. **Wireless Operators.**—Similar remarks apply to wireless operators. I am informed that wireless operators in the N. W. Railway Head-Office at Lahore have already been placed in 6-hour shifts.

212. The case of Telephone Operators at busy exchanges also came up for consideration. In the exchange adjoining the Howrah Control Office, for example, the Telephone Operator appeared to be very busy and the work required continuous application though it is difficult for me to say whether or how far the work involves mental or physical strain. This category presents a border line case and it may be considered if and where in the view of the Administrations the two conditions laid down are satisfied.

213. **Certain classes of yard staff.**—In a large yard, the staff normally consists of yard station masters or yard masters, assistant yard station masters or assistant yard masters, yard foremen, trains clerks, shunting jamadars, shunting porters and pointsmen. Of these, the work of yard foreman, shunting jamadars and shunting porters in large marshalling yards, is of a strenuous nature, that of the shunting porters being also fraught with risk of life or limb. My own observation at various stations including in particular the marshalling yard at Naihati showed that although the work of such staff when they were actually employed on shunting operations was of a strenuous character the staff had some periods of relaxation from such work. There may, however, be some cases on railways where such staff get little or no periods of relief from strenuous work and should a job analysis show this to be the case, the question of classifying such staff, if any, as intensive should be examined.

214. With regard to the higher grades of supervisory staff, namely, the yard station masters and yard assistant station masters, I do not regard their work as so strenuous as to make an 8-hour shift too arduous. It is true that we had a yard station master on the South Indian Railway who attempted to demonstrate the arduous nature of the work by contending that when posted at Trichinopoly he walked over 40 miles in a shift of eight hours. He subsequently modified his statement by saying that though he was expected to walk 40 miles, he in fact walked about 20 to 30 miles in an eight-hour shift. As an example of excessive work he gave the instance of a Mr. Subramanian Aiyer, Yard Station Master at Trichinopoly who, he said, went on sick leave owing to the strenuous nature of his work. It was subsequently ascertained that Mr. Aiyer had been knocked down by his own cow and that his illness had nothing to do with the nature of his work. Such highly coloured statements do not merit attention. In the marshalling yard at Trichinopoly, however, my attention was drawn to a manual issued by the Administration which required yard assistant station masters to inspect the seal cards on all wagons, etc. This seems to go beyond the needs of the case and if possible, detailed work in this respect could be left over to the shunters or yard foremen to attend to.

215. The work of Trains Clerks is irksome but no special complaint was made that it was of a very strenuous character.

216. **Yardstick suggested for classification as intensive.**—It is now necessary to consider the second condition laid down in paragraph 201, namely, continuous application to strenuous work with little or no periods of relaxation. It would obviously be difficult to suggest different formulae for different classes of workers. For instance, in the case of section controllers the factors which influence the intensity of their employment may be:—

(1) length of the section and the number of stations in it;
(2) the number of trains in the section;
(3) speed of the trains; and
(4) whether the section is a single line or a double line one.

Again in the case of train despatchers, the question may depend upon the number of train operations, the number of telephones they have to attend to, the number of cabins with which they have got to be in continuous touch etc. Opinions on such points and on the weightage to be assigned to each factor are bound to vary. Moreover it may happen that although some of the staff may at the present level of traffic be required to be classified as intensive, this classification may not be justified in future years if traffic declines. For these reasons a formula of a general nature will have to be evolved. I suggest that the basic idea involved in distinguishing a continuous from an intermittent worker may be carried one step further and periods of relaxation from strenuous work measured in the case of those categories of staff whose work is regarded as of a strenuous nature to determine their classification. In this connection the question whether we should consider each shift or two shifts or again the whole cycle of 24 hours for this purpose came up for consideration. Mr. Cannel, D. T. S., B. N. Rly., suggested that where a person employed in work of a strenuous nature had respite from such work whether in the shape of inaction or of light work, of less than 10 minutes per hour, he should be classified as intensive. As the workers employed in a continuous process change shifts, it is hardly necessary to consider each shift separately. If one shift is specially arduous and the other two are not, the employees do get relief as they change shifts. The alternatives which remained were to classify staff employed in strenuous work as intensive where their employment did not provide mental or physical relaxation (a) to the extent of 6 hours in a 24-hour cycle of duty *or* (b) to the extent of 3 hours in any two shifts of 8-hour duty. These alternatives were placed before the Railway Administrations who consider the first one to be the better and more practicable of the two. Under the second formula it is conceivable that the third shift may be particularly light and the total quantum of the strenuous work involved in 24 hours may be no more than 15 or 16 hours for which it would seem wasteful to employ four men in 6-hour shifts. The first formula would, therefore work more equitably as it stipulates an average of at least 4½ hours' strenuous work per shift if 4 shifts are provided. Relaxation for this purpose should include periods of inaction as well as of light work. I am aware that there may be some room for disagreement whether a particular period constitutes a period of light work or strenous work; such difficulties are inherent in the drafting of any definition. Differences of opinion and practice even now exist as to what constitutes "period of sustained attention" in applying the definition which distinguishes a continuous from an essentially intermittent worker. But I am confident that the Railway Administrations, who will in the first instance have the job analysed, will interpret the definition in a fair and reasonable manner. If a dispute as to the correct classification does arise, it will be resolved by the machinery which I propose in a subsequent chapter.

217. The yard-stick which I would therefore suggest is that if in the case of persons whose work is accepted as of a strenuous nature, it is found on a job analysis that their employment in a 24-hour cycle does not afford respite from strenuous work, whether in the form of inaction or of light work, to the extent of at least six hours, the employment of such persons should be classified as intensive. It would, however, not be reasonable to require an employee in any one shift of 8 hours to perform as much as 7 hours or more of strenuous work. This will seldom happen, but Administrations should endeavour to see that shifts are not so arranged as to exact unduly long hours of strenuous work, e.g., 7 in an 8-hour shift.

218. **Periodic rest recommended.**—Having defined the scope of intensive workers and in a previous chapter indicated the normal daily working hours for them, I shall now make my recommendations with regard to their periodic rest and weekly hours of employment. So far as the periodic rest is concerned, the arguments adduced in pararaph 195 of the preceding chapter apply with equal

force to intensive workers who too should therefore be entitled to weekly rest on the same scale as continuous workers, namely, a minimum of 30 consecutive hours.

219. **Statutory limit of weekly hours of employment—Sample rosters.**—With regard to the statutory limit of weekly hours, the normal working hours of intensive workers would be 6 a day, as stated in paragraph 180. Even after providing for a weekly rest of at least 30 consecutive hours, including a full day and night, and without entailing any awkward 'long-on or 'short-off', it is possible to frame a roster under which 4 shifts can be managed by a set of four persons throughout the week without the aid of relieving staff, *vide* rosters 5 and 6 in Appendix XVIII. Under any such roster, the working hours in shifts will amount to an average of 42 hours in a week—the limit suggested by the Federation. Two alternative rosters, namely, 7 and 8 are given in Appendix XVIII, but rosters 5 and 6 are preferable as they provide for a minimum daily rest of 16 and 14 hours respectively instead of 12 which is likely in the case of an intensive worker to be objected to as a short-off. It is true that rosters 5 and 6 involve 8 hours' duty on a few days in the week as against a uniform 6 hours' duty in the alternative rosters. But I do not regard this as a hardship for the reasons discussed in paragraph 156, Chapter VI. As in the case of continuous workers, the statutory limit should here also leave some margin and therefore I suggest that it should be fixed at 45 hours a week on the average in the month. As a rule, the time required for taking and making over in the case of intensive workers will be under 15 minutes and will therefore be ignored. When, however, it is estimated to be 15 minutes, or over, as may happen in the case of certain controllers, a consolidated credit at a uniform rate of 3 hours a week, regardless of the estimated time, may be allowed and a note to that effect added at the foot of the roster as suggested in paragraph 196.

220. **Other categories likely to claim classification as intensive.**—Before closing this chapter, I would like to refer to a few other categories of staff in respect of whom a demand has been made or may conceivably be made for shorter working hours than those prescribed or to be prescribed for continuous workers. Such categories are:—

(1) Booking and goods clerks at very large stations.

(2) Loco Running Staff.

(3) Clerks working in administrative or district offices and those employed in stations, sheds etc.

(4) Gangmen, keymen and mates.

(5) Skilled, semi-skilled and unskilled labour employed in sheds or "sick lines".

221. With regard to the first of these, the trend of evidence shows that the main complaint does not arise from the working hours fixed for booking and goods clerks but from their having to work at very large stations beyond the rostered hours to complete their work, close accounts, etc. This aspect of the case has been dealt with elsewhere and relief should be given, where possible by additional staff. In any case the staff concerned are entitled to credit for the time really required to close accounts etc. It is true that the work of booking clerks at certain stations on the suburban services, at least at the lower class windows, is heavy at certain peak periods during the day. But the work involved in issuing the suburban tickets is not of a strenuous character and such clerks in any case get relief by change of shifts or during the lull periods in the course of their shifts.

222. With regard to Loco. running staff, the position is discussed in Chapter XI concerning Running Staff.

223. With regard to office clerks the complaint was made that if the statutory limit were much higher than the rostered hours, they would be made to work beyond the rostered hours without earning any overtime. On the other hand, if this were not the case, it is possible that some of them would slow down their pace in order to earn overtime. On the whole I suggest that Administrations should provide adequate staff so as generally to avoid the necessity of having to work beyond rostered hours. There may, however, be a few sections, e.g., Pay Sheet and certain Accounts Sections, where overtime may still have to be worked for a short period each month. The clerks affected may be compensated for such overtime by shorter hours or the grant of a day off at the end of such period. There may also be special occasions when it may become necessary to call upon certain clerks to work longer hours for a number of days to attend to specific work of an abnormal character as happened last year in connection with emergent payments of arrears of dearness allowance and interim increases in the Railway Department; in such cases it would be reasonable, by an administrative order, to remunerate the clerks in question for overtime worked beyond the rostered hours at the ordinary rate of pay, save in a rare case when the statutory limit may be exceeded, in which case overtime worked beyond that limit will of course have to be paid for at the favourable rate prescribed in the Hours of Employment Rules.

224. With regard to clerks in shops, sheds, stations etc., the general demand has been that their working hours should be the same as for office clerks in administrative offices and it was surprising that this demand was supported by a Labour Inspector who gave evidence on the M. & S. M. Railway. It is obvious, however, that the analogy is fallacious. The higher the office, the higher generally is the type of office work required. The office work at stations, sheds, etc., does require certain other qualities from the clerks as they come in direct contact with labour, but I do not consider their work to be quite so strenuous as that of clerks in administrative and district offices. Moreover as some of them recognised, their duty hours have to synchronise with the hours of the shed or the shop and it is, therefore, neither necessary nor possible to fix shorter hours for such clerks.

225. Now to gangmen, keymen and mates who form 20 per cent. of the staff governed by the Hours of Employment Regulations: Their work which consists in the maintenance of track is of a strenuous character, but having regard to the quantum of the daily task assigned to gangmen and the not too strict supervision under which they are employed, they are able to adjust the intensity of their work and enjoy periods of relaxation during their duty hours. Moreover in their case, as in that of others employed in a non-continuous process, the intensity is relieved by a break in the middle of the duty hours. I do not, therefore, see any justification for classifying them as intensive. The real complaint in the case of gangmen was that time taken to reach the place of work after reporting for duty at the tool-box and *vice versa* was not always credited to them. On some railways credit is allowed for the time from the tool box to the place of work but not *vice versa*, and on others no credit is allowed at all. This complaint will be remedied by my recommendation that gangmen should be considered as on duty from the time they are required at the tool box to the time they return their tools and are free to go home.

226. There remains the case of skilled, semi-skilled and unskilled labour in sheds and sick lines. It is true that their work is more arduous than that of labour employed in Engineering shops or in other branches of the railway but generally speaking, it is not so arduous as the work in workshops which is carried out under strict supervision. Moreover such workers are able to adjust the intensity of their work. On the whole therefore, there seems no justification for classifying them as "intensive". If relief is found necessary, as for instance in the case of coal coolies, it may be better from all points of view to provide it by increase of staff where necessary than by a reduction in working hours.

CHAPTER IX.—"ESSENTIALLY INTERMITTENT" STAFF

227. I shall now consider the extent to which the present definition of the term "Essentially Intermittent" needs to be liberalised—a point referred to in paragraphs 87 to 89 and 180—and then make my proposals with regard to periodic rest and weekly hours of work for such staff.

228. **Definition of "Essentially Intermittent".**—Section 71-A of the Indian Railway (Amendment) Act 1930, defines this term as follows:—

> "The employment of a Railway Servant is said to be 'Essentially Intermittent' when it has been declared to be so by the Authority empowered in this behalf, on the ground that it involves long periods of inaction, during which the Railway Servant is on duty, but is not called upon to display either physical activity or sustained attention".

In elucidating this definition the Railway Board have issued the following Subsidiary Instruction:—

> "(1) for the purpose of Section 71-A, the work of a Railway Servant shall not be regarded as Essentially Intermittent unless his daily period of duty includes (a) two or more periods of inaction of not less than half an hour each, aggregating not less than two hours in all, or (b) periods of inaction aggregating not less than four-and-a-half hours. The term "sustained attention" used in the same Section involves mental effort. Thus a pointsman waiting for the arrival of a train, after setting points, is required to give sustained attention. So also is a Station Master after, but not before, giving line clear".

229. **Defects of the existing definition.**—In paragraphs 87 to 89 of Chapter V, I have commented on the defects of these two formulae. According to the first one, it would be possible to class a railway servant as essentially intermittent even if he is required to put in as much as 9 to 10 hours of effective work in a 12 hours' shift: in other words, he would be kept busy for a longer time than a continuous worker and in addition required to remain at his post of duty for another 2 or 3 hours to attend to possible calls. The second formula again does not expressly enjoin long periods of inaction which is an essential ingredient of the definition contained in the Act. Apart from this, the aggregate limit of 4½ hours of inaction prescribed therein is on the low side as it would mean that an essentially intermittent worker may be required to put in 7½ hours of effective work and remain on duty for an additional 4½ hours. Obviously we must allow a reasonable credit even for mere presence on duty.

230. **Definition visualised by the Railway Board.**—As mentioned in paragraph 88 of Chapter V, the Railway Board apparently recognised these defects in the said Subsidiary Instruction and observed in their letter No. E 45 G 17(L) , dated 9th February 1946 that the time had come when the work of essentially intermittent workers must be reviewed in the light of a more restricted definition which should, for the purpose of the investigation ordered by the Board, be taken as follows:—

> "For the purpose of Section 71-A, the work of a railway servant shall not be regarded as essentially intermittent unless his daily period of duty includes periods of inaction aggregating not less than six hours"

In the definition thus visualised by the Railway Board, the first test under the Subsidiary Instruction is abandoned and the second test is adopted with the modification that the aggregate period of inaction is raised to six hours before a railway servant can be classified as essentially intermittent.

231. **Alternative definitions and views of Railway Administrations.**—In the course of my enquiry an alternative definition suggested itself, *viz.* of adopting the first formula contained in Subsidiary Instruction No. 1 and raising the aggregate period of inaction from 2 to 4½ hours. As stated elsewhere. the Bengal Nagpur Railway has already attempted to soften the rigour of this formula by raising the aggregate limit from 2 to 3½ hours. In reply to my questionnaire certain Railways, *e.g.* G. I. P., B. N. and S. I. Railways, also expressed themselves in favour of ignoring all periods of inaction of less than half an hour, on the ground that they did not give any real rest to the employees. As for the aggregate limit their opinions varied from three to four-and-a-half hours. This view was also shared by Dr. Seth, Regio Labour Commissioner, Eastern Zone. The other Railways, however, preferred to count all periods of inaction and were of the opinion that the aggregate in such cases should be 6 hours as suggested by the Railway Board—a view also supported by the Reginal Labour Commissioners, Western and Southern Zones.

232. **Definition recommended.**—There is, however, one lacuna in the definition envisaged by the Railway Board. The aggregate period of inaction of six hours suggested by the Railway Board may conceivably be made up of small periods, none of which would afford the worker sufficient leisure for respite or meals. In a 12-hour shift such leisure should normally be forthcoming. As a rule, six hours of inaction would include one or two long periods but it would be as well expressly to provide for this basic requirement in the definition itself. Accordingly I recommend the following definition:—

> "The employment of a railway servant shall be regarded as essentially intermittent, when it has been declared to be so by the authority empowered in this behalf on the ground that his daily duty hours normally include periods of inaction aggregating 6 hours or more (including at least one period of not less than one hour or 2 periods of not less than ½ hour each) during which the railway servant may be on duty but is not called upon to display either physical activity or sustained attention."

233. I expect that when a job analysis is made for this purpose, it will be made in a reasonable manner and that any intervals of inaction which are quite insignificant will naturally be ignored. In this connection it may be mentioned that the N. W. Railway, while supporting the proposal visualised by the Railway Board, suggested that periods of inaction of less than 15 minutes be ignored. I fear, however, that this suggestion errs on the side of liberality. Under the new definition, the period of effective work expected from an essentially intermittent worker would be 6 hours or less and it would not do to reduce it still further by ignoring periods of inaction of less than 15 minutes.

234. **Application of the definition in certain cases.**—In some cases, more particularly on the M. and S. M. Railway, an essentially intermittent worker is placed on a 9 or 10 hours roster as his presence at the place of duty is not required during the remaining 2 or 3 hours. In making a job analysis of the work of such a railway servant a 12-hour roster should be assumed for him in order to ascertain whether in such assumed period of duty there would be periods of inaction aggregating 6 hours or more. The periods to be counted for this purpose would naturally include the two or three hours during which he is permitted to remain absent. In other words if in such cases the effective work is found to be 6 hours or more, the worker would be classified as continuous, if less, he may be classified as essentially intermittent.

235. It has been suggested that the employment of a person to be classed as essentially intermittent should be interspersed with periods of inaction and that it would not be fair therefore to class a man as such if he has a solid block of 6 hours' effective work. Something can be said in favour of this view, though on the other hand it had been contended that in a continuous process the nature of

the employment during the whole of the 24 hours should be considered and not in individual shifts which are often changed from week to week. Cases of this kind are hardly likely to occur, but should any arise the Administrations should try to deal with them sympathetically.

236. A general complaint has been made that railway servants classified as essentially intermittent have to be present at the place of work throughout the 12 hours of duty and thus get no time to go home to have their meals. The necessity of being present at the place of duty without having to do effective work is inherent in the working of railways and is the sole justification for the retention of the category of essentially intermittent workers. In a large majority of cases, however, such intermittent staff are housed near their place of duty and it is a common practice—and on the G. I. P. and the B., B. and C. I. Railways there is a definite rule—that station masters who are classified as intermittent can be permitted to leave their place of duty for short periods after ascertaining from the Train Controller whether any trains are expected during the next hour or so.

237. **Periodic rest suggested.**—It now remains to consider the periodic rest and weekly hours of employment for essentially intermittent staff. Among the witnesses examined including those representing Railway Administrations and the Labour Department, opinion was practically unanimous that such staff too should have weekly rest. Mr. Guruswamy stressed this point and claimed a weekly rest of a full day and night for all workers alike as an essential social amenity. So far back as 1931, the Royal Commission on Labour had recommended that the Railway Board should consider the practicability of giving them days of absence at reasonable intervals when weekly rest days could not be given. The Board themselves in their letter of 9th February 1946 visualised the possibility of a weekly rest of not less than 24 consecutive hours for such workers. I now recommend this with the added proviso that such weekly rest to serve its purpose must include a full night. This accords with the view expressed by most of the witnesses representing Railway Administrations and the Labour Department. In their case it is not so necessary to provide that it should include also a full day as the majority are employed at small wayside stations; the rest suggested will however, in addition to a full night, give them some hours off in the day. As in the case of continuous workers the weekly rest should be provided by means of rest-givers.

238. **Weekly hours of employment—Sample rosters.**—Now with regard to weekly hours of employment, the maximum duty hours of such staff will ordinarily be 12 a day as stated in paragraph 180 (3) and the weekly limit of hours of employment. after making suitable provision for weekly rest through the employment of relieving staff, would be 72 hours *vide* rosters 9 and 10 in Appendix XVIII. As a rule, little or no time is required to take and make over in their case but to provide for any special cases, a margin of three hours may be kept in their case also and the statutory limit fixed at 75 hours a week. If the time for taking and making over on a fair computation comes to 15 minutes or over in a day, the employee concerned should be given credit for an additional three hours a week and a note added to the foot of the roster to this effect. This recommendation is tantamount to the virtual fixation of a 72 hours' limit for the weekly hours of employment of essentially intermittent workers, save in rare cases in which owing to the exigencies of rostering and in order to count time for taking and making over as part of the hours of employment, the statutory limit of 75 hours may be reached.

CHAPTER X.—EXCLUDED STAFF

239. **Analysis of Excluded Staff.**—As stated in paragraph 67 of Chapter IV, Section 71-B of the Indian Railways (Amendment) Act gives the Governor General in Council power to make rules prescribing the classes of railway servants to whom the Act shall apply. Accordingly sub-rule (1) of Rule 3 of the Hours of Employment Rules, 1931, enumerates such classes while sub-rule

(2) thereof provides that "for the purpose of this rule, these classes shall be held to exclude—

(a) running staff, viz., drivers, shunters, firemen, guards, brakesmen, travelling van porters, travelling van checkers, travelling ticket examiners, travelling stores delivery staff and other staff who habitually work on running trains;

(b) those Chowkidars or watchmen, watermen, sweepers and gate keepers whose employment is declared by the Head of the Railway to be essentially intermittent and of a specially light character;

(c) persons who hold positions of supervision or management, or are employed in a confidential capacity; and

(d) persons employed in a factory within the meaning of the Indian Factories Act, 1911, or employed in a mine within the meaning of the Indian Mines Act, 1923 "

240. The case of the running staff presents many peculiar features and is therefore reserved for special treatment in subsequent chapters. Persons employed in a factory within the meaning of the Indian Factories Act, 1911, have been specifically excluded from the first and second terms of reference with which this part of the Report deals. Those employed in mines are not expressly so excluded, but as, to the best of my knowledge, no such persons are employed under the Railway Administrations which are a party to this dispute, I am not concerned with their case. Nor has the Federation or any Union raised any point with respect to them either in the Statements submitted or through the witnesses produced. This Chapter will, therefore, deal only with clauses (b) and (c) of the said sub-rule (2).

241. **Excluded (inferior) Staff.**—To begin with clause (b), the first point to note is that this clause authorises the exclusion of only four specified categories of inferior servants and not of any others, e.g., mates, cleaners, coal coolies, lampmen, bearers, etc. who have been wrongly excluded on certain Railways *vide* paragraph 101 of Chapter V. Then again the classification of even these four categories must depend upon the quantum of the effective work involved in individual posts: a reference to Appendix XIV, for instance, would show, taking railways as a whole, that while a proportion of sweepers, watermen, watchmen and gatekeepers is excluded, a considerable proportion are classed as essentially intermittent and some even as continuous. A perusal of sub-rule (2) would show that exclusion is permitted when their work is not only essentially intermittent but of a specially light character.

242. Subsidiary Instruction No. 3 further lays down that it is desirable that the present hours of duty of excluded staff should be scrutinised with a view to making such changes as may be necessary on humanitarian grounds. There is nothing to show whether the Railway Administrations have done anything tangible in this direction. Generally it would appear that the only action taken is, to class the railway servant concerned as essentially intermittent and to place him in a split-shift to obviate the employment of a second man. This device may provide partial relief, but such relief would be of doubtful value if the breaks are only of short duration as the employee would hardly be free to go out on any personal business.

243. **Complaints made against exclusion of inferior staff.**—A person who is excluded gets no protection from the Hours of Employment Regulations. He has to work single-handed and is supposed to be on call throughout the 24 hours. This has naturally evoked severe criticism and the general demand of the Federation and the Unions has been the abrogation of the excluded class altogether.

Moreover, the phrase "of a specially light character" used in sub-rule (2) is too elastic, so that it is difficult to challenge even hard cases. As stated in paragraph 91 of Chapter V, watermen, sweepers and watchmen are sometimes excluded because their work as such is regarded as of a specially light character without due regard to the combined duties they are called upon to perform. So far as gate-keepers are concerned, their classification depends upon the volume of traffic at the level crossings. At special class level crossing, the gatemen are always classified as continuous, at class A and B level crossings they are either continuous or intermittent and at class C level crossings, they are as a rule excluded. Rule 229 of the General Rules applicable to Railways requires that all gates at level crossings should normally remain closed against road traffic and be opened when it is necessary and safe to open them for the passage of road traffic, provided that Railway Administrations by a special instruction may allow the gates at particular level crossings to be normally kept open to road traffic. Therefore when the level crossing is normally closed against road traffic, the quantum of work a gateman has to perform necessarily has to depend upon the volume of the road traffic for which passage has to be permitted. If, however, by the issue of a special instruction a gate is normally kept open to road traffic, then it follows that a gateman has almost continually to be on the alert in case any train or a trolley may be going across. Yet in a few such cases also, on certain railways, e.g., M. & S. M. and S. I. Railways, gate-keepers are excluded. This exclusion does not appear to be justified.

244. **Advice of witnesses representing Railway Administrations and Labour Department.**—A number of witnesses representing the Railway Administrations and the Labour Department have given their opinion that no railway servant should be excluded if the effective work required in 24 hours reaches a certain limit. For this purpose a limit of 5 hours was suggested by Mr. Talib, Regional Labour Commissioner, Western Zone and his Inspector. Mr. Suleman Mahmood and of 6 hours by Dr. Seth, Regional Labour Commissioner, Eastern Zone, Mr. Summers, D. T. S., O. T. Railway, Mr. Datta Gupta, D. P. O., B. A. Railway and Mr. Sankara Iyer, A. P. O., M. & S. M. Railway. This suggestion has the merit of defining the vague phrase "of a specially light character".

245. **Railway Board's views.**—The Railway Board in their letter No. E45G17 (L), dated 9th February 1946, in commenting on the divergence in the percentage of excluded (inferior) staff which varies from 0·6 to 5·6 per cent. on the various railways directed an investigation envisaging a reduction of the percentage on each railway to the neighbourhood of one.

246. **Recommendations.**—Thus there is virtual unanimity of opinion that the "excluded" class should be restricted to the narrowest possible dimensions and no person should ordinarily be excluded unless the work is of an exceptionally light character and it would be sheer waste of man-power to provide a second hand. Accordingly I now recommend as under:—

(1) Watermen, sweepers and watchmen should on no account be excluded. At stations they often do combine duties and this practice may well be encouraged. They could be classed as continuous or essentially intermittent and if necessary placed in a reasonable split shift. There are, however, a few Chowkidars attached to reservoirs or rest houses and saloon attendants whose duties are of an exceptionally light character and who may therefore be excluded. Even according to the Report on Generalisation on the Reduction of the Hours of Work (Rail Transport) presented at the International Labour Conference in 1938 by the International Labour Office, it was proposed that caretakers of rest houses, provided their duties include no functions not usually performed by caretakers, should perform continuous service with, however, a periodic rest. In such

cases the Chowkidars should preferably be designated as caretakers as distinct from watchmen for the latter designation implies that a degree of alertness and sustained attention is required.

(2) Gate-keepers may be excluded only at C class level crossings, provided the gates are normally closed against road traffic and the employment is of an exceptionally light character.

(3) In the case of caretakers and gate-keepers, the employment should not be regarded as of an exceptionally light character if in 24 hours the amount of effective work normally expected comes to 6 hours or more.

247. **Excluded (Supervisory) Staff—Complaints made.**—I now turn to clause (c) of Rule 3 (2) which excludes persons holding positions of supervision and management or those employed in a confidential capacity. As Subsidiary instruction No. 4 would show, the Board have issued in an Annexure to the Instructions what purports to be a complete list of such persons. According to this Annexure, confidential staff is supposed to consist of clerks and stenographers employed in a confidential capacity. No claim has been pressed before me that they should be brought under the Hours of Employment Regulations, and the invariable custom in other countries would also appear to be to exclude this class of staff. Their working conditions on the whole do not, in my view, involve any special hardship. For the rest, the said Annexure gives a list of supervisory staff in two parts: part (a) names staff whose duties are invariably to be regarded as of a supervisory character and whose exclusion is therefore compulsory, while part (b) names others whose duties may be supervisory at certain places and not so at others and whose exclusion is enjoined "when they are definitely employed in a supervising capacity." Apart from this enumeration, no definition of supervisory staff has been attempted in the Regulations and numerous complaints were made before me that the list was either not satisfactory or liable to misconstruction. In paragraph 93 of Chapter V, I have already commented on a few cases of erroneous classification as supervisory, *e.g.*, of Block Inspectors on the B. N. Railway, or Inspectors of Wireless Maintenance on the M. & S. M. Railway Complaints were also made regarding the classification of Head Signallers as supervisory on the O. T. and B. N. Railways and of certain Station Masters and Assistant Station Masters on the B. N. Railway. On the S. I. Railway the Chief Booking Clerk at Golden Rock was once censured for going home to take meals although being treated as supervisory, he was entitled to some measure of freedom in adjusting his work.

248. **Recommendations.**—Most of the Regional Labour Commissioners and the witnesses representing Railway Administrations were of the opinion that a person should be classified as supervisory only if he occupied a responsible position, his duties were mainly supervisory and he had some freedom to adjust his working hours. I am in general agreement with this view. A supervisory person must necessarily be a person of some seniority as otherwise the mate of a gang would also be liable to be so classified. It was suggested by Mr. Suleman Mahmood, Labour Inspector, O. T. Railway, that a pay limit be prescribed below which a railway servant should not be classified as supervisory. I do not think this would be feasible. If this view were accepted, it might be difficult for instance, to classify an Assistant Permanent Way Inspector as supervisory though his work is essentially of a supervisory nature and does not admit of being restricted by means of a roster. I would therefore recommend the following definition:—

"For the purpose of Rule 3(2) (c) a person is said to hold a position of supervision or management when his employment has been so declared by the Railway Board on the ground that he holds a position of responsibility, is employed in duties mainly of a supervisory character and is from the nature of his work and position comparatively free to adjust his hours of duty or work during such hours."

249. **Members of Health and Medical Services.**—The list of supervisory staff issued by the Railway Board includes, *inter alia*, assistant surgeons. It is somewhat difficult to see how their work could be regarded as of a supervisory nature when they are required to give medical attention personally to the patients. This remark would apply with equal force to sub-assistant surgeons whose exclusion has been enjoined when they are definitely employed in a supervisory capacity and who in actual practice are mostly classified as supervisory. Nevertheless it is necessary that members of the Health and Medical staff such as assistant surgeons, sub-assistant surgeons, matrons and sisters-in-charge should be excluded from the Regulations not on the ground that their work is essentially of a supervisory nature, but because their profession is such that they must be available at any time when the call of duty comes. Merely because there is some other doctor on duty, it would not be right for any member of the medical staff to refuse a call from a patient requiring his personal services. This, however, will not apply to compounders, nurses, dais and other staff whose duties can be fixed according to a roster and the personal factor involved in medical attention does not come into play to anything like the same extent.

250. **Summary of recommendations regarding Excluded Staff.**—According to my recommendations, therefore, the excluded class will consist of:—

(1) Certain specified categories of inferior staff, namely, (a) saloon attendants, (b) care-takers of rest houses, reservoirs, etc., and (c) gate-keepers of C class level crossings, where the gates are normally closed against road traffic, provided that in cases (b) and (c) the exclusion should be confined to those whose employment is declared by the Head of the Railway to be of an exceptionally light character on the ground that the total effective work normally required in 24 hours amounts to less than six hours.

(2) Persons employed in a confidential capacity.

(3) Supervisory staff as defined in paragraph 248.

(4) Members of the Health and Medical staff such as assistant surgeons, sub-assistant surgeons, matrons and sisters-in-charge.

251. As we shall see in Chapter XIV, steamer working staff on the S. I. Railway will continue to be governed by the Indian Merchant Shipping Act and will therefore be excluded from the Hours of Employment Regulations, but as the said Act makes no specific provision for their working hours and periodic rest, I have suggested that the Administrations should, on humanitarian grounds, take steps to ensure that the effective working hours of the staff do not normally exceed 8 a day and an endeavour should also be made to grant them reasonable periodic rest.

252. So far I have dealt with the scope of the "excluded" class. Obviously no maximum limits of a statutory character can or need be prescribed for their hours of work—indeed for this very reason they have been excluded. But this should not absolve the Administrations of their responsibility, on humanitarian grounds, of seeing that unreasonable conditions are not imposed.

253. **Periodic rest proposed for Excluded Staff.**—With regard to periodic rest, however, equity demands that excluded (inferior) staff should also have such rest, though on a reduced scale. Mr. Summers, D.T.S., O.T. Railway, went so far as to suggest that even they should get a day off every week: on the other hand, Dr. Seth thought that one day in a month would suffice. Mr. Cannel, D.T.S., B.N. Railway, struck the mean and recommended 24 hours' rest twice in the month. The work of such staff will be of an exceptionally light character and in their case there is hardly any necessity to provide for a weekly rest as relief from work. As explained in an earlier chapter, periodic rest is, however, meant to serve another object also, *viz.*, to provide reasonable leisure to attend to social and domestic obligations. To an extent this need will be felt by excluded (inferior) staff as well and on the whole I suggest that in their case there should be a period of rest of 24 consecutive

hours in each fortnight or one period of 48 hours in a month. The latter may be a better alternative both from their point of view and for the convenience of the Administration as rest to such staff also will have to be given by detailing other men to attend to their work. The other categories of excluded staff in actual practice enjoy reasonable rest periods as a rule but no hard and fast rule is or can be made in this respect.

CHAPTER XI.—LOCOMOTIVE AND TRAFFIC RUNNING STAFF

254. **Exclusion meant to be temporary.**—The preceeding chapter has dealt with all the classes of Railway servants, save one, excluded from the operation of the Hours of Employment Regulations by the Governor General in Council under powers given by the Indian Railways Amendment Act, 1930. The exception was in respect of the running staff whose case demands separate and somewhat more detailed treatment. The expression "Running Staff", as used in the Regulations, includes not only the staff connected with the actual working of the trains such as drivers, shunters, firemen, guards and brakesmen, but also others such as travelling van checkers and porters, travelling stores delivery staff, travelling ticket examiners and other staff who habitually work on running trains. The present chapter deals only with the former, i.e., the running staff properly so called. Though they were all excluded from the operation of the Hours of Employment Regulations at the time of their introduction, it was then stated that the exclusion was temporary pending further investigation as to the possible means of applying the Regulations to them. Investigation into the question was started in June 1930 and the Railway Board in their letter No. 40-L of 15th September 1930 indicated necessary steps for application of the Regulations to the running staff.

255. **Reasons for delay in applying the Regulations to such staff.**—For various reasons, the intention of the Board for bringing the running staff under the Hours of Employment Regulations was not, however, carried out. The reasons included, as stated in the Printed Memorandum, the world-wide trade depression and the consequent financial stringency which began in 1931, the conditions brought about by the war since 1939 and the investigation into post-war scales of pay after the termination of hostilities. It has also been argued, both by the Railway Board and the different Administrations, that there are special difficulties in applying the Hours of Employment Regulations to running staff. Thus, it is stated that the working hours of this category of staff depend on varying conditions, such as irregular timings of goods trains, varying lengths of, and running times on, different sections and location of engine sheds, running rooms and train terminals. The emoluments of the running staff include two factors, viz., a basic pay and running allowances that are based either on the actual hours of work performed by them or on the actual mileage which they cover in the performance of their duties during the month or both. The Administrations argued that as a limitation in the working hours would result in considerable reduction in their emoluments, the application of the regulations was likely to be resisted by the staff. Whatever be the reasons, the unfortunate fact remains that 15 years have passed and the running staff still remain outside the scope of the Regulations, though the policy of bringing the running staff under them was pressed by the All-India Railwaymen's Federation and accepted in principle by the Railway Board.

256. **Existing position on different Railways.**—Most of the Administrations have stated that the hours of work of the running staff are, as far as possible, made to conform to those for continuous workers. On the basis of statements made by the Administrations as well as the evidence tendered before me during the course of the Adjudication, the existing position on the different Railways is briefly indicated below.

257. **G. I. P. Railway.**—On this Railway the hours of duty of passenger train crew are regulated by approved links in force and are generally within the 12 hours limit. Goods trains crews are eligible to claim rest after 12 hours' continuous duty, but according to instructions relief should not be given unless the train is at least three stations away from an outstation or home station as the case may be, except in cases where due to a yard being blocked or engine trouble developing after a train has passed within the third station, staff are likely to be unduly delayed beyond 12 hours. The minimum rest at headquarters is generally 12 hours though in certain cases it may be reduced to 8 hours (known as "Emergency Rest"). Duty hours are counted from signing on to signing off and rest period is from signing off to signing on at outstations and signing off to the receipt of call book at home stations. The running staff get four periods of rest of not less than 24 hours each or five periods of rest of not less than 20 hours each in a month. The cost of applying the Hours of Employment Regulations to the running staff on this Railway is estimated to be about 10 lakhs per year.

258. **B. B. & C. I. Railway.**—On this Railway there were some complaints of long runs—sometimes exceeding 12 hours—especially in the Ratlam Section. For goods trains which do not run to a link, rest at home-stations is normally 8 hours, but 12 hours must be granted if the crew so demand. At outstations the rest varies. If the outward journey is 6 hours or less, no rest is allowed at outstations unless the return trip exceeds 6 hours in which case 6 hours' outstation rest is allowed. The rest at outstations is 12 hours only if the time on duty exceeds 16 hours. The weekly hours of work for goods engine crew including time for engine attendance are about 70 in Ratlam District and 65 or less in other Districts. The main complaint was in respect of periodic rest which was not given regularly to drivers and firemen. The additional cost of bringing the running staff within the scope of the Regulations is estimated at about 10 lakhs.

259. **M. & S. M. Railway.**—Normally hours of duty for engine crew on the M. & S. M. Railway are 8 hours per day or 208 hours for a 26-day month subject to a maximum period of duty of 14 hours at a stretch after which rest should be arranged. There are, however, long runs between Madras and Bitragunta and between Bitragunta and Bezwada, where the scheduled run is 13 hours excluding time for engine attendance. Double crew is usually provided when the run is expected to exceed 12 hours, but as stated by witness No. 5 they relieve one anothr at fixed stations instead of after reasonable intervals of 8 to 10 hours. Rest at home-station varies from 10 to 12 hours and at outstation from 6 to 8 hours. The additional cost of bringing the running staff under the Regulations is calculated to be 22·3 lakhs including dearness allowance of 4·4 lakhs.

260. **S. I. Railway.**—On this Railway the running staff, though technically excluded, can, for all practical purposes, be taken as coming within the scope of the Regulations. Both goods and passenger trains are worked to a link system. No double crews are provided, but if duty exceeds 12 hours, arrangements are made for a change of crew. According to the evidence (witness No. 6) there are only 3 out of 17 links on the Broad Gauge where the duty hours including engine attendance exceed 12 hours. The staff work on a 54-hour week roster excluding the time for engine or train attendance. They also enjoy 24 hours' continuous rest per week. The chief complaint was that on some of the links drivers are out of headquarters up to 80 hours though generally the links provide for return within 48 hours. Some of the links, for example, the Erode-Shoranur-Coimbatore link keeps drivers away from headquarters for 62 hours or more, but they have been approved by the Secretary of the Loco Shed Association. Another complaint was that in the Shoranur 7/III link on the Broad Gauge and at Villupuram on the Metre Gauge, the drivers have continual night duty for about 10 out of 12 nights and one out of the two periodic rests is without a full night in bed as the rest is from mid-night to mid-night. There were a few complaints from guards of long run between

Trinivandrum and Madura and of long absence from headquarters on runs between Trichinopoly and Tuticorin; but in both cases the schedules had the approval of the S. I. R. Employees' Association. The cost of applying the Regulations to the running staff is estimated to be 1·5 lakhs per annum if the running staff are given a 48-hour roster.

261. **N. W. Railway.**—On this Railway there are instructions that the hours of work of running staff should as far as possible be reduced to a maximum of 60 hours a week on an average in a month and that they should be granted in every calendar month at least 4 periods of rest of not less than 24 consecutive hours or 5 periods of rest of not less than 20 to 22 consecutive hours each. There are, however, long runs of goods trains at a stretch, *e.g.*, between Kotri and Tando-Adam, between Lahore and Ambala, Lahore and Saharanpur, and Lahore and Lalamusa. Witness No. 12 complained that guards had to be out of headquarters for 61 hours in the run from Rohri to Kashmor and back. Witnesses Nos. 4 and 22 referred to a circular dated 16th of September 1946 by which the Administration discouraged the claiming of rest even after 12 hours of duty until they had completed 16 hours of duty. According to them those who claim rest earlier and refuse to carry on in spite of the orders had their leave privileges stopped. This practice has now been discontinued. The cost of bringing the running staff under the Regulations is estimated to be 6·76 lakhs exclusive of all allowances.

262. **O. T. Railway.**—When the run is expected to last for more than 12 hours, double crew is provided and one set of crew takes rest in the crew van while the other is on duty. Both guards and engine drivers complained about the unsatisfactory condition of the crew rest vans. There is no rule laying down a limit after which the running staff are entitled to claim rest, but the Administration state that the practice is that rest is allowed after 12 hours' duty. In one case, however, a crew was punished for refusal to continue on duty even after 16 hours. S. Q. T. Guards are also at times detained at stations for long hours amounting to 8 or 9 before trains are formed. Relieving staff get 6 hours rest at outstation and 12 hours' rest at home-station on an average after 10 hours' duty at a stretch. The staff on this Railway complained that many had to remain out of headquarters for 2 or 3 days at a time. The cost of bringing the running staff under the Regulations is estimated to be 2·72 lakhs incdusive of dearness allowance of 0.54 lakhs.

263. **E. I. Railway.**—On this Railway, there are many sections of over 100 miles in length. Thhe longest is Asansol-Gaya section, which is of 160 miles and the next longest is Cawnpore-Tundla section, which is of 142 miles. A statement produced by the Administration witness showed that during the month of September 1946 the actual engine traffic hours for through goods trains for the various sections were well over 12. On the Asansol-Gaya section they were 16 hours and on the Cawnpore-Tundla section between 19 and 20 hours. This was exclusive of the time for engine attendance for which the time allowed is one hour before starting and 15 minutes after arrival. It was also stated by some witnesses that 15 minutes were not sufficient for the engine crew for signing off after crossing the bar-line. Though there is no rule prescribing the limit after which running staff may claim rest, there is a circular which says that staff must give 3 hours' notice to the Controller if they cannot carry on after 14 hours. The system of pooling engines was tried on the Railway for getting more mileage from the engines and using them more intensively but on account of the maintenance difficulty and deterioration of the mechanical condition of the engines, the system was abandoned and the old method of working with assigned engines restored. The cost of bringing the running staff within the Regulations is estimated at 27·14 lakhs.

264. **B. N. Railway.**—On the Bengal-Nagpur Railway there are some runs, for example, between Khargpur and Shalimar, which involve more than 12 hours of duty at a stretch. There is no definite rule about claiming rest after a

specified number of hours on duty, but an order dated 3rd May 1940 of the District Carriage and Loco Superintendent, Khargpur, states that "if a driver stables his load after being 10 hours on the road, he will be exonerated from blame in the ordinary circumstances". Normal hours of work in a month are 208 and in counting these hours credit is given for time made up in late running attributable to traffic department and for time lost in cautious driving, but not for waiting at the starting station nor for delay caused by engine breakdown or by slow movement of trains on account of crossing. Normal rest at headquarters is 12 hours and at outstations 8 hours after 8 hours' duty. Drivers on arriving at headquarters can sign for full rest but if they do not, they are liable to be called under-rest *i.e.*, within less than 12 hours. Two or more short runs with a rest of less than 2 hours in between cannot be combined to make a run of 8 hours or more for the purpose of claiming rest. Rest at both home station and outstation is calculated from signing off to signing on. The guards can sign for 12 hours rest at headquarters provided he has worked out under 12 hours rest at headquarters and has not signed for rest at outstation. At outstation he can sign for 8 hours rest only if he has completed 8 hours continuous duty or gone out of headquarters under 12 hours' rest. It was stated that the normal weekly hours of duty for guards at Adra were 59. The cost of bringing the running staff under the Regulations is estimated to be 5·37 lakhs.

265. **B. A. Railway.**—On this Railway the normal hours of duty prescribed for running staff are 8 hours subject to the restriction that the maximum period of duty for engine crew is 16 hours after which rest becomes optional. Rest is compulsory after 18 hours unless a terminal station can be reached with certainty within 15 minutes, over and above 18 hours. No maximum hours are prescribed for other running staff. All running staff are entitled to a minimum of 8 hours' rest at outstation and 12 hours' at home station after performing 8 hours' continuous duty. Guards are entitled to double mileage if they are booked to work under-rest and engine crew to half a day's pay. The time allowed for engine attendance is one hour before starting and 30 minutes after arrival, but some witnesses complained that this was not adequate. Where the run of a train was expected to be longer than 12 hours, usually a double crew is provided. The double crew, however, take over at fixed stations and not after one crew has done 8 or 10 hours of duty. Guards are very rarely booked under-rest as there are station duty guards for booking in cases of emergency. The cost of bringing the staff under the Regulations is estimated to be 18 lakhs inclusive of dearness allowance and grain shop concession.

266. **Electric traction service on suburban services.**—On the Electric Traction system for the suburban traffic on the G. I. P., B. B. & C. I. and S. I. Railways, the hours of duty per day seldom exceed 7 and the weekly limit is well below 60. On the B. B. & C. I. Railway the daily average of 7 hours includes time spent at terminal stations between working two successive trains and the weekly average is 42 hours a week. On the S. I. Railway the weekly average was 60—65 hours in 1945, 50 hours in 1946 and 47 in 1947—exclusive of time spent on engine attendance but inclusive of time spent in travelling as passenger. One of the grievances of the staff on the B. B. & C. I. Railway was that there were too many stoppages at stations and that the halts at terminal stations were too short but this is inherent in the working of a suburban train service. Their grievance however that they did not get a weekly or even a fortnightly rest is a real one.

267. **Time allowed for engine or train attendance and maximum hours of work at a stretch.**—A tabulated statement based on the replies to the questionnaire showing the existing position as regards time allowed by the various Railway Administrations for engine or train attendance is attached. It also indicates the maximum hours of duty at a stretch after which the engine crew and guards are entitled to claim rest:—

Railway	Engine or train attendance						Maximum hours of work at a stretch	
	Engine crew		Guards				Engine crew	Guards
			Goods trains		Passenger trains			
	Before starting	After arrival	Before starting	After arrival	Before starting	After arrival		
B. A. . . .	1 hour. .	30 minutes .	30 minutes .	30 minutes .	30 minutes .	30 minutes .	16	No rule
E. I. . . .	1 hour .	15 minutes*.	30 minutes .	30 minutes .	30 minutes .	30 minutes .	No rule; but in practice 14 hours.	
B. N. . . .	¾ to 1½ hours*†	15 to 30 minutes*†	1 hour . 2 hours (*a*) .	Actual time required	30 minutes .	Actual time required.	12	12
G. I. P. . . .	45 minutes .	30 minutes .	45 minutes .	...	30 minutes .	...	12	12
B. B. & C. I. . .	45 minutes*.	15 minutes*.	45 minutes*.	15 minutes .	30 minutes .	15 minutes .	No Rule	
N. W. . . .	45 minutes .	15 minutes*.	30 minutes .	Fixed by the Divl. Supdt.	30 minutes .	30 minutes .	16	16
O. T. . . .	45 minutes .	15 minutes .	30 minutes .	30 minutes .	30 minutes .	30 minutes .	12	12
M. & S. M. . .	45 minutes 1 hour (*b*).	30 minutes .	30 minutes .	...	30 minutes .	...	12	No Rule
S. I. . . .	45 minutes 1 hour (*b*).	30 minutes .	45 minutes 60 minutes (*c*)	15 minutes .	30 minutes .	15 minutes .	12	12

(*a*) Tranship and shunting trains.
(*b*) Goods trains with vacuum brakes.
(*c*) For Road van Goods trains.

* After arrival within, or before departure from, Loco. limits or Shed.
*† Time varies according to the type of engine.

268. **Maximum period of absence from Headquarters.**— The following table prepared from the replies given by the Administrations to my questionnaire shows the maximum period of absence of the running staff from headquarters on the various Railways:—

Railway	Engine Crew		Others	
	Passenger Trains	Goods Trains	Passenger Trains	Goods Trains
B. A. . . .	32—48 hours		24—32 hours	24—32 hours
E. I. . .	32 hours	56 hours	32 hours	56 hours
B. N. . . .	20—26 hours		20—26 hours	
G. I. P. . .	30—36 hours		30—36 hours	
B. B. & C. I. .	24—32 hours		32—48 hours (*a*)	
N. W. . . .	40—70 hours		40—70 hours	
	36—48 hours (*b*)	48—80 hours	36—48 hours (*b*)	48—80 hours
O. T.. . .	36 hours		36 hours	
M. & S. M. . .	36 hours		36 hours	
S. I. . . .	3 days		3 days	

(*a*) Goods

(*b*) For Mail and Express Trains.

269. **Longest run.**—A statement showing the length of the longest sections on each Railway, with the time taken by the engine crew of through goods trains is given below:—

Name of Railway	Section From—to	Normal run as per time table	Distance in miles	Average time taken on the run	Remarks
B. N.	Bilaspur—Dongargarh.	...	130	about 10 hours.	Stabling occurs frequently on these trains. As a practice but not as a rule, if a train is stabled after a driver has been 12 hours on the run and after 2 hours previous notice, no punishment is imposed.
	Bilaspur—Jharsuguda.	...	127	about 10 hours.	
B. A.	Lumamirhat-Amingaon	16 hrs. .	175	19 hrs. .	There may be a few more similar sections but the information is not readily available. All are double crewed. Improvised rest vans for
	Chitpore-Khulna .	15 hrs. .	105	18 hrs. .	
	Chitpore-Ishurdi .	14 hrs..	121	17 hrs. .	

Name of Railway	Section From—to	Normal run as per time table	Distance in miles	Average time taken on the run	Remarks
	Naihati-Khulna	14 hrs.	103	18 hrs.	engine crews are provided—Guards share the same B-Van.
					2. Maximum period of duty of engine crew is 16 hours after which rest becomes optional but rest is compulsory after 18 hours unless a terminal station can be reached with certainty within 15 minutes over and above 18 hours.
					3. In the case of other staff, no maximum limits are prescribed.
O. T.	Gorakhpur-Benares.	18 5 hrs.	142½	...	Double crew is provided on Gorakhpur-Benares Section.
	Cawnpore-Gonda	10·45 hrs.	121½	...	
	Mailani-Lucknow	9 5 hrs.	120¾	...	
	Chapra-Gorakhpur	8·50 hrs.	111¾	...	
S. I.	Sections on Metre Gauge.	...	110	7-30	Time taken excludes attendance time.
	Sections on Broad Gauge.	...	116	9·30	
M. & S. M.	Gooty-Arkonam	...	215	24·5 to 25 30 hrs.	Crews change at Nandalur.
	Arkonam-Gooty	...	215	23·5 to 24·5 hrs.	
E. I.	Cawnpore-Tundla	14 hrs. (Up and Dn).	142	17 5 (Up). 14·45 (Dn).	Sometimes the engine crews and guards are changed *en route*.
	Tundla-Ghaziabad	11 hrs. (Up and Dn).	114	14 30 (Up) 15·45 (Dn)	
B. B. & C. I.	Ratlam-Godhra	9·12	115	13·30	
	Nayduhar-Bhasaval	8·51	107½	12-0	
	Rewari-Sirsa	11-30	139½	14-15	
	Rewari-Phulera	11-20	132½	14-15	
	Ajmer-Neemuch	12-30	150	14-0	

Name of Railway	Section From—to	Normal run as per time table	Distance in miles	Average time taken on the run	Remraks
G. I. P.	Agra-De'hi	7-12(Up.) 6-52(Dn)	122¾ 122¾	12 hrs.	In a number of cases, the running time exceeds 12 hours and train crews have signed rest at intermediate stations. There is a proposal to open out Palwal, a station 37½ miles short of Delhi, as a permanent change crew station. In many instances, trains have to be run with double crews, relief being arranged as expeditiously as possible.
N. W.	Lalamusa-Rawalpindi (Shunting trains).	17·20	97	18·26	
	Rawalpindi-Lalamusa (Shunting trains).	13·25	97	15·32	
	Rawalpindi-Peshawar Cantt.	13·52	108	17·53	On this section, trains are partly shunting and partly through either between Rawalpindi and Cambellpur or between Cambellpur and Peshawar Cantt.
	Peshawar Cantt-. Rawalpindi.	12·47	108	15·3	
	Dhalhandier-Mirjawa.	18 36	189½	20·0	This includes time from shed to station and *vice versa*.
	Kotri-Podidar (Through van goods)	11·21	114½	13·12	When duty exceeds 12 hours, relief crews are changed at Nowabhah.
	Podidar-Kotri	12·10	114½	13·42	
	Delhi-Ambala	17·0	123	18·51	
	Saharanpur-Ghaziabad.	8·0	100	15·21	

270. **Views of the Railway Board.**—This brief survey of existing conditions indicates that though the Railway Board desired long ago to apply the Hours of Employment Regulations to the Running staff, the policy of doing so could not for reasons already stated be carried into effect. The Board themselves recognise this fact as is evident from their letters No. E-45-RG-16(L) of 23rd November 1945* and No. E-45-LE-101/R, dated the 17th August 1946 (Appendix XIX). The earlier letter stated that one of the main difficulties in applying the Regulations to the running staff was that a reduction in the hours of work would on the whole result in a decrease in their average emoluments and went on to say that "the system of calculating running allowances on the various railways is under examination as part of the investigation in connection with the post-war scales of pay". The Railway Board however had "no objection to the Railway Administrations giving immediate consideration to the application in the meantime of the principles of the Regulations to the running staff (that is, a maximum of 60 hours a week and

* Not reproduced.

24 consecutive hours rest), if by so doing temporary running staff which would otherwise become surplus and have to be discharged can be retained in service. The adoption of any such proposal would, however, have to be conditional on prior advice to the Railway Board of the approximate extra cost involved which would take into account the desirability of avoiding serious alterations in the average emoluments earned by individuals."

271. The letter of the 17th August 1946 has carried the matter a step further and suggests a complete overhaul of the existing system of giving mileage and overtime allowances. It points out "that the basic pay is not pitched at a satisfactory level as is evident from its being increased by 75 per cent. during leave and other circumstances." It goes on to say that "the running allowances are related to the work done in a variety of ways, to the class of train worked, time taken, mileage put in and even the pay of the employees; part of these allowances is regarded as pay and part as . . . . . a compensatory allowance to cover the nature of their duties; but even here the ratio between the running allowances and basic pay varies on different railways. Several years have passed since the Hours of Employment Regulations were introduced in all Government Railways, but it has not yet been possible to apply them to the running staff, for, besides other difficulties the limitation of the hours of work entails a loss in total emoluments."

272. The Board are of the view that now that the post-war scales of pay are under consideration of the Pay Commission, the opportunity of tackling the problem must not be missed. They suggest that "the whole system of emoluments of the running staff needs overhaul on the following lines:—

(a) Increasing the proportion the basic pay bears to the total emoluments so that the basic pay becomes the pay of the post.

(b) A corresponding reduction in the proportion that the running allowances will bear to the basic pay so that these allowances shall be compensatory only and treated as such.

(c) Bringing the running staff within the scope of the Hours of Employment Regulations.

(d) Simplification of the rules and making them uniform."

273. **Regulations to be applied to Running staff.**—These suggestions indicate that the Board do not expect the difficulties of applying the Regulations to running staff to be insuperable. The contention of most of the Administrations that though the running staff are excluded from the operation of the Regulations, yet attempts are made to keep their hours of duty within the limits prescribed further strengthens such belief. The position in this respect on the S. I. Railway is particularly satisfactory. The experience of other countries also points the same way. With the single exception of India, not one of the countries that ratified the Washington Convention has at any time claimed any special exemptions from the weekly limits for the running staff. The evidence tendered before me by the representatives of the employees and of the Administrations was unanimous on the point that the Running staff should be brought within the scope of the Hours of Employment Regulations, though not unnaturally some Administrations stressed the difficulties implicit in the application of these Regulations in their own case. The E. I. Railway emphasised the difficulties involved especially in respect of imposing a limit for runs at a stretch. On certain sections of that Railway, the existing hours of duty at a stretch are 12 or more, but this is partly due, as was explained by Mr. Sahai, the Administration witness, to engineering works in progress—like the doubling of the Dufferin Bridge at Benares, the provision of additional yard and shed facilities in Lucknow and the doubling of the Lucknow-Bareilly section. When completed, these are bound to result in a reduction of the duty hours at a stretch on those sections and Mr. Sahai himself suggested the limitation of hours to 10 or 11. All the Regional Labour Commissioners and the Inspectors were

also of the opinion that the Running staff should be brought within the scope of the Regulations. Taking in view these factors, namely, (a) the statement of the Administrations that generally every effort is made to keep the hours of work of the running staff within the limits prescribed by the Regulations; (b) the evidence tendered before me by the witnesses both on behalf of the employees and the Administrations; and (c) the practice of making no distinction between the running and other staff on Railways in other countries of the world, I am of opinion that the Hours of Employment Regulations, as proposed to be revised, should be applied to the running staff proper, that is, the engine crew, guards, brakesmen, etc.

274. **Simultaneous revision of the structure of their emoluments.**—Here I must make a passing reference to a question which was repeatedly raised before me in the course of the Adjudication proceedings. The Administrations argued that the running staff themselves would be opposed to a limitation of hours of duty as this would affect their earnings, while the contention of the running staff was that their hours of work should be reduced on humanitarian considerations but that this should not affect their emoluments. I am not directly concerned with the question of emoluments which has presumably been considered by the Central Pay Commission. There is, however, some force in the contention of the running staff that when there is likelihood of betterment of earnings in respect of other employees, they should not be adversely affected by any change. At the same time it seems obvious that emoluments earned by excessive work cannot be made a basis for computing normal emoluments, when working hours are reduced to more reasonable limits. It, must, however, be remembered that the Railway Board have themselves recognised "the desirability of avoiding serious alterations in the average emoluments earned by individuals" in their letter of 23rd November 1945. The solution, therefore. appears to be to fix the basic pay of the post on a reasonable level, having regard to the work normally expected from the running staff as envisaged in the Board's letter of 17th August 1946. The application of the Regulations will have to be considered in conjunction with the revision of the structure of their emoluments. Having regard to my terms of reference I shall confine myself to recommending to Government what should be the normal weekly hours and periodic rest for running staff.

275. **Weekly limit for continuous workers to apply.**—Considering the nature and responsibility of their duty, it seems to me evident that the running staff proper would generally be classified as continuous workers and the maximum weekly hours of employment of 54 on an average in a month should be made applicable to them. Time spent on duty beyond this limit in any exceptional circumstances should be paid for at 1½ times as in the case of other continuous workers. The time required for engine attendance or taking and making over should be treated as part of the duty hours for this purpose which should be counted from signing-on to signing-off. When however double crew is provided, the time spent by the spare crew resting in the crew van will not count as duty vide paragraph 189. With regard to loco running staff, some witnesses suggested their classification as intensive with their hours of employment restricted to 45 a week. Their work is certainly more arduous than that of guards for example. But as it is proposed to include the time required for engine attendance in the hours of employment and as during such time as well as during occasional detentions at stations for prolonged periods due to crossings, etc.. the running staff are not employed on strenuous work, their classification as intensive would not ordinarily be justified although Administrations should continue to have regard to the intensity of work on any specified section in fixing the hours of duty. I had an occasion to travel in an engine and I observed that the work of the first fireman was of a particularly exacting nature. In actual practice, however, he gets pauses after every few minutes of such work and sometimes the second fireman lends a hand in putting the coal into the fire box.

276. **Duty at a stretch.**—Having recommended the fixation of weekly hours for the running staff proper, it now remains to consider the question of normal hours of daily duty. This presents no difficulty in the case of other continuous staff, but it is easy to see, and this was conceded by almost all the witnesses who appeared on their behalf, that it is not possible in the case of running staff to frame rosters providing for normal hours of daily duty. From the nature of the case there must be variations in daily duty depending on the length of the runs, the location of engine sheds and running rooms, the irregular timings of goods trains, availability of trains for the return of the staff to the headquarters and on the question of crossing and precedence of trains of differing importance. Nevertheless humanitarian considerations as well as public safety and confidence demand that there should be a maximum limit to the hours of duty at a stretch. I am reinforced in this view by the report of the Chief Labour Commissioner for the year 1945-46 in which he refers to cases of running staff, especially guards and drivers, working continuously for 14 to 18 hours daily and characterises such duty as "obviously beyond human endurance".

277. Most of the Administration witnesses admitted that a plea of fatigue from the running staff should be accepted after completion of 12 hours' duty and that if relief was claimed before completion of 12 hours' duty, relief would be given but the staff would have to justify the claim of such rest. Witnesses Nos. 16 and 19 on the B. B. & C. I. Railway suggested that normal duty at a stretch should be 10 hours. Witnesses Nos. 5 and 14 on the B. A. Railway suggested 8 hours as normal duty. Witness No. 10 on the M. & S. M. Railway and witness No. 6 on the South Indian Railway went to the length of suggesting a daily duty of only 4 to 5 hours inclusive of engine attendance. Almost all of them, however, agreed that if necessary, they would on occasions be prepared to carry on upto 12 hours. That was also the opinion of Mr. Cowell of the National Union of Railwaymen of India and Burma. In view of this general agreement between the views of the Administrations and the staff, I recommend that though normal duty at a stretch would be 10 hours, the maximum running duty at a stretch for running staff should not exceed 12 hours after which they should be entitled to claim rest, provided they have given two hours' notice to the Controller.

278. I am of the opinion that the same criterion need not and in fact should not be used for determining the weekly hours and the hours at a stretch. For counting the weekly hours of the running staff it is obvious that the hours of duty must include the total period from signing on to signing off. This includes the time taken in engine attendance in the case of engine crew and in taking and making over charge of the trains in the case of guards, as well as any periods that the train may be detained at stations, either before or after start. It is obvious that the strain on the running staff during such time is much less than when the train has left the station on its journey. As the employee is on duty, the time must necessarily be counted towards the weekly hours of employment, but it need not be counted for prescribing the maximum of hours of duty at a stretch, which should be determined by considerations of strain and fatigue involved in such duty. I therefore, recommend that in assessing the maximum hours of duty at a stretch, the time should be counted from the actual departure of the train.

279. Two reasons justify in my opinion the fixing of maximum hours at a stretch on the basis of actual running time. The first is that the running time is interspersed with stoppages, and the engine crew and guards are called to activity alternately. When the train is on the run, the guard has comparative relaxation while the engine crew must be alert and active. On the other hand, when there is a stoppage at a station, the strain on the engine crew is less while the guard is called upon to show greater activity. In spite of the picturesque language in which the conditions of service of guards were described

by a witness on the North Western Railway, I am not convinced that the work of the guards is of such a strenuous nature as to make an occasional duty of 12 hours at a stretch from the departure of the train unreasonable.

280. The engine crew have undoubtedly a very responsible type of work, but they also soon get accustomed to their duties. After the outer signal is passed, the driver has, no doubt, to be alert in watching the signals and the track, but the work cannot be regarded as of a very strenuous nature. Even the firemen, arduous though their work is, have periods of inaction interspersed with periods of activity. The engine crew of mail and passenger trains have to undergo a greater strain, but generally their hours of duty at a stretch do not exceed 8 or at the most 10. The running of goods trains is uncertain and involves long hours because of their irregularity, performance of shunting at stations on the way, delays occasioned by stations not being prepared to receive them, and detentions on single lines to permit crossings of trains proceeding in the opposite direction or to give precedence to mail and passenger trains proceeding in the same direction. As a necessary corollary, however, it follows that the work of the staff on goods trains does not involve the same strain as of the staff on mail and passenger trains. Long detentions at stations and yards which are the principal causes of prolonged runs at the same time afford sufficient periods of light work and make a 12 hour limit not unreasonable.

281. The second reason for my recommendation is that the fixation of a statutory weekly maximum must inevitably tend to restrict the runs at a stretch so that the weekly hours of work may be evenly distributed as far as possible over all the days of the week. I have recommended that the total period from signing on to signing off must be counted in computing the weekly hours and this in itself would serve as a check on inordinate hours at a stretch. Where the actual running time is 12 hours, the period of duty for the purpose of weekly limit will be almost 13 or 13½ hours. In other words a driver or a guard who works at the rate of 12 hours running duty every day cannot be called upon to work for more than 4 days a week. Though the averaging clause may provide some degree of elasticity, it is not economical to distribute work in such a manner and I feel that in actual practice the cases where running staff would be required to be on running duty for 12 hours at a stretch would be few and far between. I anticipate that generally run at a stretch would not exceed 10 or 11 hours and in most cases this would fit in with the existing location of engine sheds and running rooms. The increase in traffic, bad coal, strain on engines and other difficulties created by the war conditions have contributed towards long hours on the run on certain sections. But with an improvement in the situation, with faster engines and better coal, the time taken on such sections is bound to be reduced. The maximum must, however, be fixed at a somewhat higher level and the limit of 12 hours at a stretch meets both operational requirements at well as the human needs of the staff.

282. There may be occasional cases when the running time of 12 hours on the foot-plate may expire before the destination station is reached or before the Controller can arrange for relief in spite of 2 hours' notice. I trust that even in such cases the staff will, except for reasons of physical inability, carry on their duties and refrain from stabling the trains. In most cases, it would be advantageous to the staff themselves to carry on and bring the train to destination where there would be running rooms and other facilities. The G. I. P. Railway have a provision by which relief cannot be claimed even after 12 hours of duty if the train is within 3 stations of the destination station. But I do not consider it necessary to recommend a similar provision for all Railways. I am confident that the running staff after having secured for the first time the protection of the Hours of Employment Regulations will give their fullest co-operation to the Administration.

283. I would point out that in Australia the running time for the train staff may not exceed 12 hours and for locomotive staff 8 to 12 hours according to the type of the train. In Brazil a single period of work seldom exceeds 16 hours, but in the case of traction staff operating passenger train, this period shall not exceed 12 hours. In the U. S. A. under the Hours of Services Act 1907 "Employees in Train and Engine Service may not be required or permitted to stay on duty for more than 16 consecutive hours after which they must be granted at least 10 consecutive hours off-duty. If they work an aggregate of 16 hours in any 24 hours period they must be granted at least 8 consecutive hours off duty. These provisions do not apply in the case of casualty, unavoidable accident, Act of God, or where the delay was the result of a cause which was not known to the Railway Company or its officer in charge of the employee, when the employee left a terminal and which could not be foreseen."

284. **Periodic rest.**—With regard to periodic rest of the Loco and Traffic running staff it is obvious that in their case the weekly rest prescribed for continuous workers cannot be given on any fixed day of the week. This was appreciated by all witnesses. Having regard to the nature of their employment, the rules on the subject have to provide a measure of elasticity. In my opinion it would suffice if Loco and Traffic running staff are given four periods of not less than 30 consecutive hours each or 5 periods of not less than 22 consecutive hours each in a month. As far as possible, however, there should be one such period in every ten days. What is even more important, such rest periods should be given at headquarters and should always include a night in bed. Moreover to enable the running staff to make advantageous use of periodic rest it is desirable that they should, as far as practicable, be advised of it at or before the commencement of such rest.

285. **Other points.**—I would briefly indicate some of my other recommendations in respect of the running staff. In the course of the Adjudication, witnesses on certain Railways complained that time allowed for taking and making over was inadequate. As the table referred to in paragraph 267 shows, there is divergence in the practice on different Railways. I would, therefore, recommend that the Railway Administrations should review the allowance of time at present made for engine or train attendance and take steps to ensure that reasonable credit is allowed for the purpose.

286. It was also found in the course of the enquiry that at times running staff have to perform continual night duty as in the case of some drivers at Shoranur and Villipuram on the South Indian Railway. It should be possible to limit continual night duty to 6 nights at a stretch after which they could change duties with another batch of the running staff. There were also complaints that running staff at times had to be away from the headquarters for too many days at a stretch. In most cases the running staff return to their headquarters within 2 or 3 days. Occasionally, however, they are absent for a longer period and a subsidiary instruction may be issued that normally programmes should be so arranged that the running staff are not away from headquarters for more than 3 or 4 days.

287. There were a few complaints during the course of the inquiry as to the inadequacy of rest allowed at headquarters and outstations. The scale of rest allowed varies on different railways and some of the rules regulating the grant of rest may require modification if they operate somewhat harshly. The question of rest allowed must vary according to the length of the runs and the class of trains by which the staff travel. It would be difficult for me to suggest any uniform set of rules but I would suggest the advisability of the Railway Administrations examining the question and making such alterations as may be necessary in order to enable the staff to get adequate rest, particularly at headquarters.

288. **Summary of recommendations.**—My recommendations for Loco and Traffic running staff, therefore, are:—

(1) They should generally be classified as continuous with the weekly limit of 54 hours on an average in a month. For the purpose of weekly hours of employment, time should be calculated from signing on to signing off.

(2) Subsidiary instructions should be issued that the running duty at a stretch should not ordinarily exceed 10 hours and that they should be entitled in any case to claim relief after 12 hours provided they have given 2 hours' notice for relief to the Controller. For the purpose of computing duty at a stretch, time should be calculated from the actual departure of the train.

(3) The periodic rest of running staff should consist of 4 periods of not less than 30 hours each or 5 of not less than 22 hours each in a month. Such rest should always include a night in bed and be given at headquarters and as far as possible there should be one such rest in every 10 days.

(4) The Railway Administrations should review the allowance of time at present made for engine or train attendance and take steps to ensure that reasonable credit is allowed for the purpose.

(5) The Railway Board should issue instructions against the performance of continual night duty by running staff for more than 6 nights at a stretch.

(6) The Railway Board should issue instructions that running staff should not normally be away from the headquarters for more than 3 or 4 days at a stretch.

(7) The Railway Administrations should institute an inquiry into the adequacy or otherwise of the existing rules regarding headquarters and outstation rest.

CHAPTER XII.—OTHER RUNNING STAFF

289. **Hours of Employment Regulations to be applied.**—As we have seen, Rule 3(2)(a) of the Hours of Employment Rules excludes not only the Loco and Traffic running staff but other travelling staff, *viz.*, travelling van porters, travelling van checkers, travelling ticket examiners, travelling stores delivery staff and other staff who habitually work on running trains. The total number of such staff on all the Railways is about 8,000 and this Chapter deals with such categories of staff. The reason for their exclusion does not appear to lie in the difficulty in connection with their emoluments. Unlike the running staff properly so called, their remuneration does not depend on the number of hours of work or mileage done, and therefore any restriction in their hours of employment would not affect their earnings. The reason for their exclusion appears to be that owing to the nature of their work, which largely depends upon irregular running of trains and the length of the sections, it is not possible to frame any rosters for them. As it is now proposed to bring the running staff proper under the Hours of Employment Regulations, there would appear to be no justification for excluding the other running staff from the scope of those Regulations.

290. **Travelling Ticket Examiners.**—Their duty consists mainly in checking tickets of the passengers while the train is moving, recovering excess fare when due and issuing receipts. When carriages are overcrowded as they have been during the last few years, this task is not a very pleasant one and a witness referred to the fact that travelling ticket examiners were occasionally assaulted in the performance of their duty. Another witness mentioned that owing to the crowded nature of carriages, they had often to travel on the foot-board. After the examination of the tickets of the passengers is over and also during halts at stations they do get periods of inaction, but in the absence of any place where they can relax the period of inaction cannot be regarded as rest. They work according to programmes drawn up for their monthly trips on the line. On the North Western and Oudh Tirhut Railways they are already classified as continuous so that their normal weekly hours of work do not exceed 60 on the average in a

month. But there were a few complaints about the inadequacy of the time allowed for making and taking over. All the Administrations agree that there will be no difficulty in bringing this category of staff under the Regulations and this should now be done. Although no roster can be prepared for them, it can be arranged that in preparing their duty diagrams, they do not exceed the average weekly limit fixed for continuous workers.

291. On the M. & S. M. Railway the practice is to centralise all the travelling ticket examiners at Madras and to send them out in squads. For this purpose the Railway is divided into four divisions, and the travelling ticket examiners work in different squads in rotation. According to the diagram prepared for them they proceed from Madras to the particular division to which they are assigned, work the diagram in their division for 10 or 12 days and then return to the headquarters at Madras. The Hubli squad gets three days' off after 12 days' duty in that division. The squads at Madras, Bezwada and Arkonam get two days' off after eight days' duty in their respective divisions. The result of this centralisation is that the squads are out of headquarters for about 25 days in a month. The Administration has promised to consider our suggestion to decentralise the staff and to allot them to particular divisions.

292. **Travelling Van Checkers and Travelling Van Porters.**—Their duty normally consists in receiving and delivering small consignments at various stations on the line. On the Oudh Tirhut and East Indian Railways they are described as Small Quick Transit Staff. On the Bengal-Assam, M. & S. M. and South Indian Railways van checkers are called Road Van Clerks, on the Bengal-Nagpur Railway, Transhipment Van Clerks and on the North Western Railway, Van Sorters. As they are absent from headquarters for many days at a stretch, double crews, each consisting of say, two road van clerks and eight hamals, are provided on some railways, one clerk and four hamals being on duty at a time. They travel in a rest van provided for the purpose. But there has been considerable criticism about the conditions of these vans, and it has been asserted time and again that they do not afford much rest for the crew which is off duty. This category of staff spends on an average in a month about 20 days out of headquarters and 10 days at headquarters.

293. **Travelling Stores Delivery Staff.**—The duties of this staff are to distribute stores from one central depot to the various sheds and stations on the line. Usually the stationery and consumable goods are sent out to the various stations on the line in monthly or bi-monthly trips, while clothing, kerosene, etc., are distributed in quarterly or six-monthly trips. This staff also travels in vans specially provided for the purpose, and here again there was considerable dissatisfaction about the character of the vans and the conveniences supplied in them. The monthly and the bi-monthly trips last from 10 to 15 days. But the quarterly and six monthly trips sometimes last from one to two months.

294. **Loco Van Clerks.**—Their duties as related by a witness on the M. & S. M. Railway, are of the same type as those of the travelling stores delivery clerks. Instead of making monthly or six-monthly trips, a loco van clerk travels on the line collecting material for repairs, brings it to the workshop and delivers repaired articles at the proper places. He is out on the line about three weeks in a month, but not more than a few days at a time.

295. **Recommendation regarding weekly hours of work—method of calculation.**—I recommend that all the staff named in paragraphs 292 to 294 should be brought under the Hours of Employment Regulations. Except perhaps in the case of travelling van checkers and porters most of the other staff referred to work partly at headquarters and partly at stations on the line. They also do some little work while the train is moving. Although their work in many cases is of an intermittent nature it cannot be adjusted to a daily roster and does not therefore lend itself to the application of the definition of the term "essentially intermittent". I have suggested in paragraph 188 that their maximum working hours be fixed at the same limit as

that prescribed for continuous workers, *viz.*, 54 hours a week on the average in the month. For this purpose a limited credit at say 25 per cent. should suffice for such of the time spent in journeys during which they normally do little or no work. Credit will, however, be given in full for their working hours at headquarters and stations on the line as well as for the estimated time of taking and making over which as a rule is considerable in their case. A complaint was made by a transhipment van clerk on the B. N. Railway that after taking over charge he was detained at the starting station for nearly 12 hours waiting for the train to be formed and started. Administrations should, whenever possible, permit the staff in such cases to go home to avoid claims for waiting time to count as duty. Where however the waiting time is about an hour or less, the staff would normally wait in the rest van or compartment reserved for their use and get credit for such time on the basis allowed for time spent in travelling.

296. **Recommendations regarding periodic rest.**—So far as the periodic rest is concerned, the travelling staff dealt with in this chapter are more or less in the same position as running staff proper and they should, as I have recommended in the case of the latter, get four periods of not less than 30 consecutive hours each or five periods of not less than 22 consecutive hours each in a month. As they are generally out of headquarters on duty for long periods at a stretch, it will not be feasible to ensure that their rest will always be at headquarters or that it shall be given at intervals of at least 10 days. It is therefore necessary to provide that the competent authority may in their case provide for some portion of the rest being given away from headquarters and/or at intervals of more than 10 days.

CHAPTER XIII.—SHED STAFF

297. **Application of Factories Act to Locomotive Sheds.**—The Factories Act applies *inter alia* to locomotive sheds in British India wherein 20 or more workers are working or were working on any day of the preceding 12 months and in any part of which a manufacturing process is carried on with the aid of power. For this purpose a 'worker' is generally defined as a person employed in any manufacturing process or in cleaning any part of the machinery or premises used for a manufacturing process or any other kind of work whatsoever incidental to or connected with the subject of the manufacturing process. The said Act does not apply to sheds wherein less than 20 workers are employed or in which no power is used, nor does it apply to the larger sheds in Indian States unless its main provisions have been applied to such sheds as in Rajputana, by the appropriate authority.

298. **Number of sheds under the Factories Act and those under the Hours of Employment Regulations.**—The number of sheds on each Railway where the Factories Act has been applied and those where it has not been applied is as under:—

Name of Railway	No. of sheds where Factories Act applies	No. of sheds where Factories Act does not apply
B. A.	10	33
B. N.	14	22
E. I.	13	24
G. I. P.	17	32

Name of Railway	No. of sheds where Factories Act applies	No. of sheds where Factories Act does not apply
B. B. & C. I.	7	12 on the Broad Gauge and 18 on the Metre Gauge.
N. W.	30	28
O. T.	7	26
M. & S. M.	15	33
S. I.	6	23

299. **Sheds where some staff are governed by the Factories Act and others by the Hours of Employment Regulations.**—Where the Factories Act has been applied, the workers employed inside the sheds including the precincts thereof have been brought under the Act in most provinces, but in the C. P. and Bombay, only the workers employed in the shops situated in the shed premises have been brought under the Act. For example, in the Bilaspur Loco-Shed on the B. N. Railway, only the staff employed in the machine shop are governed by the Factories Act and the others by the Hours of Employment Regulations. On the other hand all workers employed in certain sheds, *e.g.*, Rohri (Sind), Khargpur (Bengal) and Basin Bridge (Madras) come under the Factories Act. This divergence in the practice obtaining in sheds located in various provinces is not of the creation of the Railway Administrations but arises from differences in the interpretation of the terms 'worker' and 'manufacturing process' used in the Act, as construed by the Chief Inspectors of Factories in the various provinces. No uniformity is thus possible even on the same Railway as some of them pass—as the B. N. Railway does—through five different provinces.

300. Again, as we saw in the Basin Bridge shed, while the workers employed regularly or even occasionally inside the shed premises are governed by the Factories Act, those working in the loco yard just outside the shed, *e.g.*, engnie-examiners and certain greasers are governed by the Hours of Employment Regulations on the technical ground that the term 'factory' covers only the enclosed precincts of the shed. Fuel mistries and coolies also are governed by the Hours of Employment Regulations both because they work in the yard outside the shed precincts and because they are not "workers" as defined in the Factories Act. Similarly at Trichinopoly we saw that within the same category some workers come under the Factories Act and others under the Hours of Employment Regulations.

301. **Differences in the provisions of the Factories Act and the Hours of Employment Regulations.**—In the cases of persons governed by the Factories Act the limit of working hours prescribed in Section 34 is 48 hours a week or if they are engaged in work which for technical reasons must continue throughout the day, 56 hours a week, provided that if any such person works for more than 48 hours a week, he shall be entitled in respect of the overtime worked to pay at the rate of

twice his ordinary rate of pay. Workers in sheds to whom the Factories Act does not apply on the other hand fall under the Hours of Employment Regulations and under my proposals the statutory limit of their working hours will be 54 a week on the average in the month or 75 a week according as they are classified as continuous or essentially intermittent and overtime in excess of these limits will be paid for at 1½ times their ordinary rate of pay.

302. **Anomalies and possible remedy.**—These differences are likely to cause confusion and complaints of discrimination, specially when in the same sheds, as pointed out by Mr. Guruswamy, some of the staff are governed by the Factories Act and others by the Hours of Employment Regulations. In the course of evidence, it was suggested that in order to remove the anomalies inherent in the present situation it would be an advantage from the administrative point of view if all the staff in the sheds were governed by the Hours of Employment Regulations. In principle this may be a sound suggestion as the working conditions obtaining in the sheds are more akin to those prevailing in the operating departments of which indeed they are a part, than in the workshops where the work is on the whole harder and is done under strict supervision and the reasons for the grant of overtime at double the ordinary rate of pay under the Factories Act cannot apply to sheds *vide* paragraphs 226 and 319. The adoption of this suggestion would, however, not be feasible without an amendment of the Factories Act.

303. **Recommendation regarding rostered hours of continuous workers in large sheds.**—At present I am concerned more directly with workers in sheds under the Hours of Employment Regulations. While in principle I see no justification for recommending a lower statutory limit of working hours for such workers than that proposed either for continuous or for essentially intermittent workers, I suggest that in order to remove complaints of unfair discrimination, Administrations should endeavour as far as possible, to adopt approximately the same hours for the shed staff classified as continuous under the Hours of Employment Regulations as those in force for shed workers governed by the Factories Act, provided that they are engaged in work similar in its nature, intensity and volume to that of the latter and who but for reasons of a purely technical character would themselves be governed by the Factories Act. This will commonly arise in large sheds where power is engaged, either in Indian States or in such sheds in Bombay and the Central Provinces where the scope of the Factories Act is limited to the staff employed in the shed shops.

304. **Overtime payments to shed staff.**—With regard to overtime, I am not at all sure if the grant of pay at double the rate for overtime worked in excess of 48 hours a week as now provided for in Section 47 of the Factories Act was intended to apply to workers employed in shifts in a continuous process. It may be recalled that under this Section as it stood before its recent amendment overtime was paid for only for the hours worked in excess of the statutory limits prescribed in Section 34 which were then 56 hours a week in the case of workers engaged in a continuous process throughout the day and 54 in the case of other workers. The latter limit has recently been reduced to 48 but the former remains unaltered *vide* proviso to Section 34. Section 47 in its amended form, however, provides for payment for all overtime worked in excess of 48 hours a week and thus would enable workers in a continuous process to get overtime payments even though they may not work beyond the statutory limit prescribed for them. This seems to run counter to the well recognised principle that overtime should not be a normal feature of employment. So long as the Factories Act stands in its present form, it may be an advantage to roster even workers employed in a continuous process in sheds governed by the Act to 48 hours a week by the grant of a complete calendar day's rest through the employment of relieving staff on the lines indicated in Roster 11 in Appendix XVIII. This will serve to ensure that overtime working and payment will not be a normal feature in their case and at the same

time avoid the expense involved in the comparatively high rate of overtime payments now prescribed in the Factories Act. My only reason for this digression is that this rate of overtime is likely to cause some repercussion on the staff working in the sheds who are governed by the Hours of Employment Regulations. On the whole I am unable to recommend any liberalisation in the rules regarding the admissibility and rate of payments for overtime worked by the shed staff governed by the Hours of Employment Rules merely because some of their colleagues will be entitled to such payments on a more favourable basis on the technical ground that they come under the Factories Act. With regard to statutory payments for overtime, in order to avoid repercussions among other staff, it will be prudent to regulate them under the law applicable to various workers, though any more favourable provisions under departmental rules which are considered fair and suitable can continue.

CHAPTER XIV.—SPECIAL CLASSES OF STAFF

305. In this Chapter I propose to deal very briefly with certain special classes of staff not expressly mentioned in Rule 3 of the Hours of Employment Rules, *viz.*, marine staff, pay staff and catering staff. The nature of their employment is somewhat peculiar and the duties of some are stationary and of others travelling. It is therefore necessary to explain the manner in which the Hours of Employment Regulations can be made applicable to them.

306. **Marine Staff.**—Marine Staff are employed by the O. T., B. A. and B. N. Railways for ferry service across the Ganges, the Brahmaputra and the Hooghly respectively. On the S. I. Railway alone there is a steamer service between Dhanushkodi and Talaimannar.

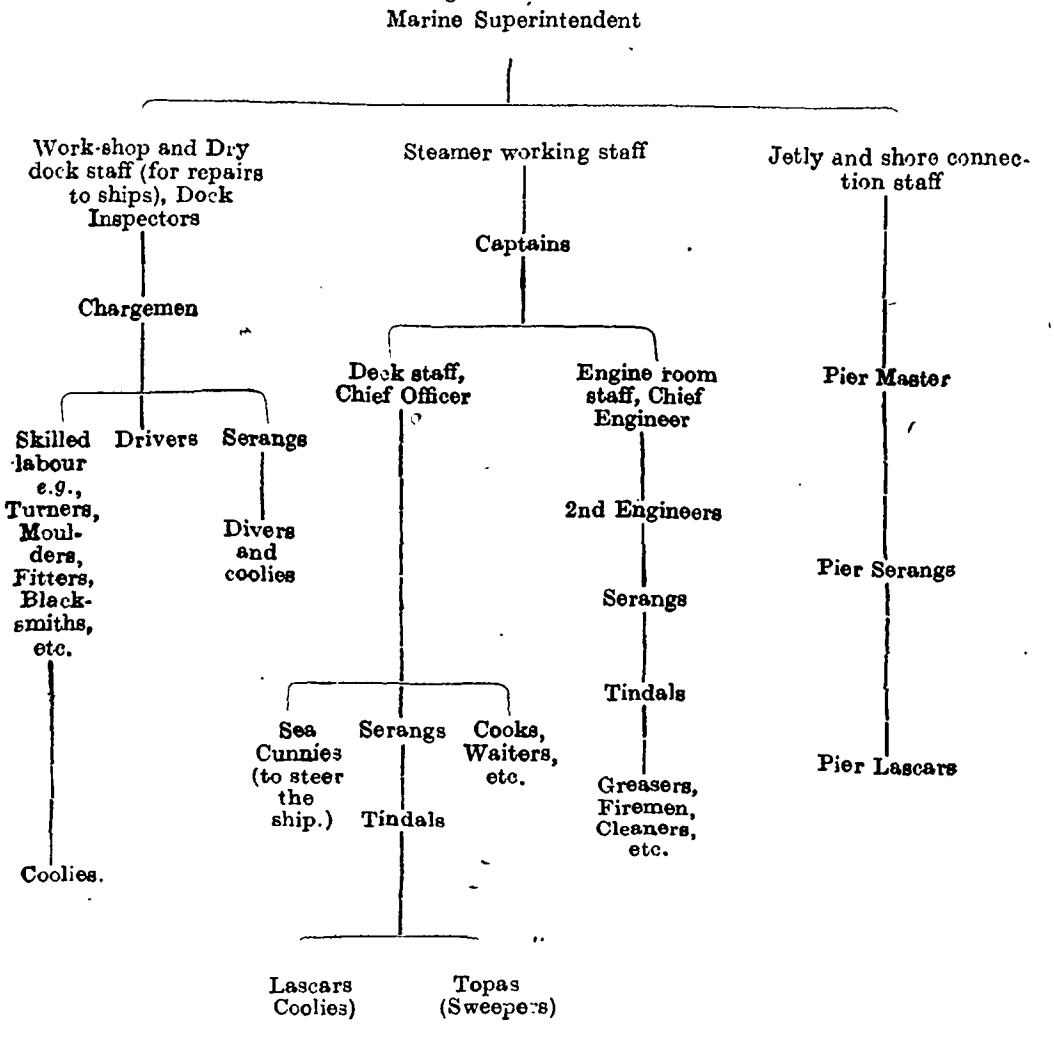
307. **O. T. Railway.**—On the O. T. Railway there was some evidence about unsatisfactory working conditions at Mokameh Ghat. In the latest report on the working of the Hours of Employment Regulations on the State-managed Railways the Chief Labour Commissioner (Central) has made the following observations:—

> "During the year under report a representation was received from the Oudh and Tirhut Railwaymen's Union that the ferry workers at Mokameh Ghat were performing 14 hours' continuous duty daily. The marine staff on the Railways are excluded from the scope of the Hours of Employment Regulations. However, on the case being investigated by a Labour Inspector it was found that the ferry workers were treated as running staff by the Administration and were put on 12 hours' intermittent duty. In view of the very arduous nature of the duties performed by those workers, the Inspector had suggested that the workers should be brought on to eight hours' shift. The recommendations of the Inspector were forwarded to the Railway Board who instructed the Oudh and Tirhut Railway to put the ferry workers to eight hours' shift."

Witness No. 18 complained of long hours still exacted from certain marine staff on the Railway, *e.g.*, electric fitter, driver and fireman in the floating dock, pilots and lightmen, coal coolies, clerks in transhipment shed, etc. I recommend that marine staff on the Railway be brought under the Hours of Employment Regulations and classified as continuous or intermittent according to the nature of their duties. Their hours of employment and rest period will then be regulated in the same manner as those of the running staff.

308. **B. A. and B. N. Railways.**—There was no evidence about the conditions of service of the marine staff on the Bengal Assam Railway and we were informed that the ferry service maintained by the Bengal-Nagpur Railway across the Hooghly was likely to be discontinued very shortly.

309. **S. I. Railway.**—Turning now to the South Indian Railway the Marine Branch is controlled by a Marine Superintendent at Mandapam who functions under the Chief Mechanical Engineer. The Branch is organised in three sections as indicated in the following chart:—



The staff in the Dry Dock and Workshop at Mandapam is governed by the Factories Act and is therefore outside the scope of this Adjudication in so far as their hours of work and weekly rest are concerned. With regard to the steamer staff, there are two steamers one of which is in service and the other is either under repairs in the workshop or spare at Dhanushkodi. Each ship has a full complement of staff, and when it is not in service, about 50 per cent. of the staff are available for relieving purposes. It would appear that the steamer working staff are not railway servants as the term is defined in the Indian Railways Act which covers staff employed in ferries, etc., only on inland waters. The steamer working staff on the South Indian Railway falls under the Indian Merchant Shipping Act which does not provide for any limitation on the hours of work of employees other than young persons under 18 years of age. There are, however, no such persons employed in the steamers on the South Indian Railway. I was informed by the Marine Superintendent that the hours of work of the staff were normally entered in the log-book. The steamer staff have to sign an agreement under the Indian Merchant Shipping Act and are subject to the discipline imposed by that Act. For instance, when the steamer is in service, they are required to

remain on board for all the time and can only leave the ship and go out with the permission of the Master of the vessel. On the other hand, the ship staff get food free under the Act.

310. Although steamer working staff on the South Indian Railway must continue to remain under the Indian Merchant Shipping Act, I consider that they are covered by items 1 and 2 of my terms of reference, interpreting the term "railway servant" in its broad sense. We had a witness who complained that greasers were required to work in 12-hour shifts under very arduous conditions in the engine rooms. The Administration suggested that the greasers were required to work in eight-hour shifts, the cleaner being utilised for the work in the night shift. But the witness contended that under the orders of the Engineer the night shift work was also done by greasers. Similarly it was alleged that cooks and their mates had to work continuously for 18 hours, *i.e.*, from 5 A.M. to 11 P.M. and sweepers for 15 hours. According to the Administration, cooks work nine or ten hours per day and sweepers 8½ hours. The Union's witness gave details to substantiate his allegation of long hours of duty. The majority of the other staff such as serangs, firemen and cleaners work in three shifts of eight hours

311. From the trend of the evidence it would appear that when the steamer is in service the hours of work of some classes of staff, for example, greasers, cooks, 'bhandaris' and sweepers are too long and although the steamer working staff must remain outside the scope of the Hours of Employment Regulations, the Administration should, on humanitarian grounds, take steps to ensure that the effective working hours of the staff do not normally exceed eight hours a day. As some of the staff in the steamer not in service are usually available for relieving purposes, every effort should also be made to give steamer working staff reasonable periodic rest more or less on the scale and in the manner recommended for Running Staff. It is true that their work is, on the whole, of a relatively light character when the steamer is not in service. On the other hand, when it is in service—which happens for three months at a stretch—staff are required, as already stated, to remain on board the ship even during their off duty hours.

312. Another point which came to my notice was that the steamer staff had to live without their families for three months when the steamer is in service and for another three months when it is under repairs in the workshop, *i.e.*, for six months in a year. The Administration should see if it is possible to redress this grievance.

313. The jetty and steamer staff work on the shore and are railway servants as such although their work has some connection with the steamer service. They work within the limits applicable to continuous workers under the Hours of Employment Regulations and get weekly rest. I recommend that the Hours of Employment Regulations should be applied to them and their classification as regards weekly hours and periods of rest should be governed by the principles already laid down.

314. **Pay Staff.**—Pay staff is employed to make payments of staff and contractors' dues. This work is now done departmentally on most of the Railways the only exceptions being the North Western and B. B. & C. I. Railways where a contractor is employed for the purpose. We had no direct complaint with respect to the conditions of service of pay staff but we examined their working conditions in some detail when we inspected the Accounts Office at Gorakhpur. The Railway is usually divided into pay districts for each of which there is a district pay clerk with a few assistant pay clerks. These go out on the line in three or four tours and in accordance with a fixed programme. Usually they spend 20 to 22 days on the line and the remaining days of the month in working at headquarters. Some of the staff of the pay department including shroffs and a few

pay clerks work at headquarters only and they would be classified as continuous and their hours of work and periodic rest will be determined accordingly. In the case of travelling pay clerks who are generally provided with special travelling facilities, it will be necessary, as suggested in paragraph 188, Chapter VI, to keep their working hours within the limit suggested for continuous workers, *viz.*, 54 a week on the average in a month and for this purpose to allow them full credit for their normal working hours at headquarters and for halts at stations where they are usually expected to be fairly busy and partial credit (say, 25 per cent.) for the rest of their journey.

315. **Catering Staff.**—On most Railways catering at stations and on the train is given out on contract. But on the Bengal-Nagpur Railway catering in European style is done departmentally, while on the M. & S. M. and South Indian Railways the Indian Refreshment Rooms and Restaurant Cars are run departmentally. The stationary staff at headquarters are and will continue to be classified as continuous or intermittent according to the nature of their duty. With regard to the Managers of railway hotels, refreshment rooms and restaurant cars, it has been represented that they are in charge of stores and it would be difficult to fit them in 8 or 12 hours' shifts which would result necessarily in divided responsibility. But I expect that these managers will be classified as supervisory and they would therefore be excluded from the scope of the Regulations. There remains the case of staff attached to restaurant cars other than managers, *e.g.*, cooks, bearers, etc. They are usually provided with special accommodation for their journeys and as suggested in paragraph 188, Chapter VI, their working hours should be kept within the limit suggested for continuous workers, *viz.*, 54 a week on the average in the month, full credit being allowed to them for taking and making over and for certain periods of the day when they are normally kept more or less occupied and partial credit, say 25 per cent., for the rest of the journeys.

316. **Periodic rest for pay staff and catering staff.**—Periodic rest, both for travelling pay clerks and of staff attached to restaurant cars, *e.g.*, cooks, bearers etc., should be regulated on the scale and in the manner laid down for running staff.

CHAPTER XV.—EXEMPTION FROM STATUTORY PROVISIONS REGARDING HOURS OF EMPLOYMENT AND PERIODIC REST

317. **Existing provisions.**—As stated in paragraph 78 of Chapter IV, temporary exemptions may be made from the statutory provisions of hours of work and periods of rest—

(a) when it is necessary to avoid serious interference with the ordinary working of the railway, *e.g.*, in cases of accidents or other emergencies, or

(b) in cases of exceptional pressure of work not falling within the scope of clause (a);

provided that a railway servant shall be paid for overtime at not less than 1½ times his ordinary rate of pay, if exempted from the provisions respecting hours of work under clause (b), and shall, as far as possible, be granted compensatory periods of rest if his weekly rest is suspended. Rule 7 further stipulates that in no case shall an employee who is entitled to weekly rest be required to work for 21 days without a rest of 24 consecutive hours. In this connection a few points came up for consideration and they are discussed below.

318. **Recommendation for grant of overtime in cases of accidents, etc.**—This point was also brought to notice by the Select Committee of the Legislative Assembly in its report on the Indian Railways (Amendment) Bill in 1930, when it made the following observations:—

> "The Bill, as re-drafted, is in accordance with the Washington Convention, which does not make the payment of overtime obligatory except when the extra hours of duty are due to exceptional pressure

> of work; and until the question has been further examined, we do not consider it advisable to impose a statutory obligation to pay overtime in cases falling under clause (a). We are informed that the present practice varies on different railways, and we think that Government should investigate the question whether some provision ought not to be made either for the payment of overtime in such cases or for a compensatory period of rest."

I am not aware whether any inquiry as contemplated by the Select Committee was made, but in reply to our questionnaire most of the Railway Administrations have expressed themselves in favour of the grant of overtime in the circumstances covered by clause (a) as well. The only exceptions are the E. I. and N. W. Railways. The former gives no reason for its opinion while the latter Railway seeks to justify the distinction on the ground that such cases are infrequent and should be treated as incidental to railway service. Granting that this is so, cases of the type mentioned in clause (b) are also often inevitable in the course of railway working and as the rate of overtime, whether the present one or that proposed by me, is in the nature of a compensation for the additional work performed in somewhat difficult circumstances, I agree with the majority view that no distinction should be made between cases falling under clause (a) and those falling under clause (b) in so far as eligibility for overtime is concerned. In actual practice, even now overtime is allowed at the ordinary rate of pay for the extra hours worked beyond the rostered hours to some classes of staff, *e.g.*, carriage and wagon, electrical and stores depot staff on certain railways during accidents and other emergencies.

319. **Rate of overtime. Recommendation for increase.**—As we have seen, the existing rate prescribed in the Hours of Employment Regulations is not less than 1½ times the ordinary rate of pay. This is in conformity with the provisions of Article 6 of the Washington Convention. The demand of the Federation was that this rate be increased to double the ordinary rate and the claim was sought to be justified on the score of the recent amendment of the Factories Act, increasing the rate from 1½ to double the ordinary rate. I think, however, that the Legislature, by fixing so high a rate for overtime work under the Factories Act, intended to discourage the practice of factory owners exacting work beyond the normal hours for the purpose of increasing profits without having to engage additional staff. In other words, it was essentially intended to be a penal rate and not merely to compensate the staff affected. In the ordinary working of the railway, however, the staff have occasionally to work overtime in circumstances over which the Administration has normally no control. There may be detentions to trains on the way, engine failures or derailments or in a continuous process carried out in shifts, the outgoing man may have to work overtime due to sudden illness of the incoming man. The reasons which necessitate a railway servant having to work overtime are thus not always connected with inadequacy of staff. It seems to me, therefore, that a rate, pitched so high under the Factories Act as to make it of a penal character, would not be appropriate in the case of railway servants. In reply to the questionnaire, all the Railway Administrations have expressed themselves against an increase in the overtime rate merely on the analogy of the Factories Act. Some of the witnesses examined on behalf of the Administrations and the Labour Department, however, recommended an increase in the rate admissible under the Hours of Employment Regulations from 1½ times to 1¾ times or even double the ordinary rate of pay. On the whole, as a railway servant is put to appreciable inconvenience by having to work overtime, often in trying circumstances, I recommend that he should be compensated for it by the payment of overtime at 1½ times the ordinary rate of pay.

320. **Maintenance of adequate records of overtime work.**—In Chapter V a reference has been made to the complaint that adequate records of overtime worked are not maintained on certain Railways, with the result that overtime earned

under the Regulations is sometimes not paid. In order to avoid such infringement of the Regulations, it is recommended that whenever it becomes necessary to exempt an employee from the statutory rules regarding the hours of work or periods of rest in the exigencies of the service, formal orders to this effect should be issued and a register in proper form maintained to record the extra hours worked beyond the rostered hours during the period of exemption. This will ensure the payment of overtime due under the Regulations. Attention is invited in this connection to Article 8(c) of the Washington Convention which required the upkeep of proper records for all additional hours worked.

321. **Compensatory rest.**—A reference has also been made in Chapter V to the practice of certain staff working on rest days. In order to comply with the provisions of the Regulations, I suggest that here also formal orders should be issued whenever it is necessary to suspend the weekly rest and every effort should be made by the Administrations to grant compensatory rest within a reasonable time, if possible within a week. The maintenance of a proper record will be necessary for this purpose also and such record will help to avoid infringements of Rule 7 of the type mentioned in paragraph 125, Chapter V.

322. **Average clause to be retained.**—Under Section 71C of the Indian Railways Act a railway servant other than one whose employment is essentially intermittent shall not be employed for more than 60 hours a week on the avarage in any month. By reason of this provision, it is possible to employ a railway servant for more than 60 hours in a particular week without giving rise to a claim for overtime so long as the average for the month is within the 60-hours' limit. The All-India Railwaymen's Federation demands the deletion of the averaging clause. This clause was considered necessary to provide a reasonable measure of elasticity so necessary in railway working. Without it overtime payments would be the normal feature for certain classes of staff during the first week of the month when they have to prepare monthly returns. On European Railways the period over which the eight-hour day is allowed to be averaged in pursuance of Article 5 of the Washington Convention normally extends from a week to a month. Apart from the practice in India I am aware of only two countries where the maximum limit of hours per week is averaged over a longer period. In Norway the 48-hour week is calculated over 4 to 6 weeks and in Belgium over 3 months. In India the period of one month was fixed for this purpose for definite reasons, *e.g.*, to provide for the extra work involved in the preparation of monthly returns and to admit of overtime payments being made along with the monthly salary. In actual practice, this provision has not entailed any serious hardship and I am, therefore, unable to support the Federation's demand in this respect. The majority of the Railway Administrations are also averse to the deletion of the averaging clause.

323. **Complaints regarding inadequacy of staff.**—In the course of evidence numerous complaints were made of inadequacy of staff. In many cases this may have been due to the difficulties experienced by the Administrations in recruiting staff during the war or in some to the sanctioned cadre itself being inadequate for the present volume of work. The result in either case is the same, *viz.*, working beyond rostered hours and sometimes beyond statutory limits. While this cannot always be avoided, it should not be permitted to become a normal feature as it is a well recognised principle that overtime work and overtime payments should be an exception rather than the rule. I therefore recommend that wherever necessary Administrations should review existing cadres and bring them up to the normal working requirements, and what is more, urgent steps should be taken to recruit the additional staff required to work up to the sanctioned cadres.

324. **Other points.**—A few other points likely to arise occasionally in connection with the payment of overtime also call for mention. For instance, employees are often found to be wrongly classified as essentially intermittent when

having regard to the volume of their work they should have been classified as continuous. In such cases, when the mistake is detected and rectified, the correct classification is introduced with retrospective effect on the B. N. and B. B. & C. I. Railways, while on the other Railways no retrospective effect is allowed. All things considered, I think that the needs of the case will be met if overtime is allowed for extra hours worked, if any, from the date of the orders of the competent authority sanctioning the higher classification, provided that if in a particular case such authority is satisfied that the circumstances which necessitated the revision of the classification were in existence over a long period, it may allow retrospective effect from a suitable date to be specified in the sanction. In some cases, although the need for higher classification is accepted, the extra staff required to give effect to it is not available for some time. An instance is quoted in paragraph 90, Chapter V; a parcel clerk on the S. I. Railway had thus to work for 12 hours a day for six months after the post was classified as continuous. In such cases, as agreed to by the Administration, overtime should be paid for the extra hours worked from the date the higher classification was approved.

325. The practice with regard to the grant of overtime to a member of the relieving staff who works in place of a continuous worker in excess of the rostered hours for a few days in the month and as an essentially intermittent worker for the rest of the month, is not uniform. On some railways, *e.g.*, S. I. Railway, such an employee does not get the benefit of the overtime worked in a post classed as continuous unless he works in such a post for at least a month. On certain other railways overtime is paid in cases of the type mentioned but the method of calculating overtime is not uniform. I feel that overtime should be paid in such cases to the extent earned and the Railway Board should consider the desirability of laying down a uniform procedure.

326. Then again Railways were asked how overtime was calculated in the case of a continuous worker who worked overtime for say the first two weeks of the month and was away on leave for the rest of the month. Practically all Railways replied that in such calculation assumed credit was allowed for the rostered hours in respect of the period of the leave. This practice is fair and may continue.

CHAPTER XVI.—MISCELLANEOUS POINTS

327. **Split-shift in the interest of the worker.**—A person is said to be employed in a split-shift when his daily tour of duty is punctuated by breaks during which he is free to leave his post of work and which, therefore, are not treated as part of his hours of employment. For example, in many cases, a break is often provided to afford the employees concerned an interval for rest and refreshments, *e.g.*, in the case of office clerks, goods clerks, gangmen, sick line staff, etc. In such cases, the break is primarily in the interest of the employees concerned and no hardship is involved.

328. **Split-shift due to exigencies of service.**—I shall now deal with another type of cases in which breaks occur due to the exigencies of the service, as, during certain hours, there is no work to be done. As a result, the total spread-over, *i.e.*, the time from the start to the finish of the daily duty, is liable to be considerably prolonged and complaints were made that such employees did not get a reasonable amount of uninterrupted rest. There are, for instance, a few small way-side stations on practically all Railways where no line clear work is done and which it is, therefore, possible to keep closed except for certain more or less well-defined periods of the day, when they remain open in connection with a few trains scheduled to stop for the convenience of the public. The staff employed at such stations usually consists of one booking or goods clerk in charge or if there is any telegraph work, one station master in charge and one sweeper:

there may, in addition, be one waterman and one points-man. There are also a few stations on branch lines where line clear work is done but it is nevertheless possible to close them for some periods during the night. Here one station master and one assistant station master may be employed in split-shifts, their duty hours being 9 or 10 each day according to the requirements of the work. Again at medium and even larger stations commercial staff, such as booking clerks, ticket collectors, luggage clerks and luggage porters as well as trains clerks and signallers are often required to attend duty during certain well-defined periods to suit the requirements of the train service.

329. **Hard cases of split-shift.**—In the course of our enquiry some hard cases of split-shifts came to our notice. For example, a waterman was employed at Kasganj Station on the O. T. Railway from 0-30 to 2-00, 6-00 to 6-30, 10-30 to 11-30, 16-00 to 19-00 and 21-00 to 21-30, and although his effective work was only 6½ hours a day, the uninterrupted rest enjoyed by him was only 4½ hours, the spread-over being over 20 hours, and the number of spells of duty was five. Other unsatisfactory cases came to our notice in the case of Indian Refreshment Room staff at Trichinopoly. Here two women cleaners are employed in split-shifts apparently extending upto 9 P.M. and 12 midnight respectively without the provision of quarters and according to the evidence of one witness both actually worked upto 1 A.M. and were forced to rest in the station premises upto 5 A.M. when they went home, one of them returning to work at 6 A.M. In the course of his evidence Mr. Summers, D. T. S., O. T. Railway, advised that the spread-over should be limited to 14 hours without breaking the night's rest and intervals of half an hour should be ignored. Under Subsidiary Instruction No. 13 the minimum uninterrupted rest should, as far as possible, be 8 hours. In other countries the spread-over varies from 12 to 18 hours, being 12 in Australia and Canada, 13 in Spain, 14 in Japan, 15 in Denmark, 16 in Argentina and 18 in Austria.

330. **Recommendations.**—To remove hardship, I suggest that the employment of railway servants in split-shifts should be subject to the following conditions:—

(a) The spells of duty should not exceed 4 in all, the number of breaks being thus limited to 3.

(b) Any break of less than half an hour should be ignored and included in the duty hours.

(c) If there are 4 spells of duty, quarters should invariably be provided for the staff to enable them to take rest during the breaks. If the spells of duty are 3, the staff concerned should be given some preference in the allotment of quarters.

(d) As far as possible, the spread-over should be limited to 16 hours provided the rest between 10 P.M. and 6 A.M. is not broken or 14 hours if such rest is broken.

331. **Continual night duty.**—As explained in Chapter VI night work is inherent in the nature of railway operation. But in most cases the work is organised in two or three shifts and it is possible to avoid continual night duty. Subsidiary Instruction No. 8 enjoins that in preparing rosters care should be taken to avoid continual night duty especially if any portion of the period of such duty falls between 11 P.M. and 5 A.M. There are some cases, however, in which employees are subject to continual night duty, *e.g.*:

(1) Assistant station masters at stations where there are only one station master and one or even two assistant station masters.

(2) Signallers at a few stations where only a signaller-in-charge is employed during the day shift

(3) Watchmen and lampmen at a few stations where no such staff is required during the day.

(4) Night assistant foremen, shedmen or shed clerks, the foreman being in charge of the shed during the day shift.

332. **Station masters and assistant station masters.**—To take assistant station masters first, their rosters at stations where there is only one assistant station master may be from 22 to 10 or 18 to 6 hours if the assistant station master is not qualified in goods work or 0 to 12 hours when he is so qualified, the station master being on duty from 10 to 22, 6 to 18 or 12 to 24 as the case may be. Where two assistant station masters are provided, their hours would usually be from 0 to 9 and 16 to 24 respectively, the station master being on day duty from 9 to 18: thus neither of the two assistant station masters ever gets a complete night in bed. The difficulty in the case of assistant station masters arises from the necessity of keeping the station master on day duty to attend to goods work and to complaints and enquiries from the public: he is also an elderly person, having himself gone through the mill and done long years of continual night duty as assistant station master. Any proposal which would require him to alternate with the assistant station masters on night duty would, therefore, probably be resented by station masters and would moreover not be feasible where the assistant station masters are not qualified in goods work. On the Nagpur Division of the G. I. P. Railway, however, I was informed that the station masters do take turn with the assistant station masters on night duty. A similar practice may be adopted wherever feasible but if it is considered that a general extension of such practice would present difficulties, the solution would lie in transferring the assistant station masters after a certain period, say, one or two years, to other stations where they would not be subject to continual night duty.

333. **Other cases of continual night duty.**—In the other cases mentioned the necessity for employing staff on continual night duty arises where usually only one person is employed at night and no corresponding staff is employed during the day time at the same station. It is not possible, therefore, to alternate any day and night shifts in such cases. The same difficulty has been experienced in certain other countries also, *e.g.*, in Germany, Lativia and Switzerland, in the case of night watchmen and other classes of workers engaged exclusively for night duty. In the course of our enquiry a few other instances of continual night duty also came to notice which could in my opinion be easily remedied. On the South Indian Railway drivers in the Shoranur 7/III links and at Villupuram had continual night duty for about 10 out of 12 nights. There was also an electric fitter at Egmore who had continual night duty and the Administration promised to consider the possibility of merging this post in the cadre of fitters employed in the electric sub-station so that the night duty could be done by rotation. It should be possible to provide relief in a similar way for drivers at Shoranur and Villupuram.

334. **Demand of the Federation with respect to night duty.**—The Federation asks that night duty should be discouraged by (1) the grant of a higher rate of pay and (2) the introduction of shorter hours. As night-work is inherent in the nature of railway duty in many cases, pay should be held to cover such liability. The second demand would often entail correspondingly longer hours in the day shifts and the trend of the evidence showed that it would not be acceptable to the generality of the staff: moreover the amount of work at night is as a rule less than during the day and a change on the lines suggested by the Federation would often lead to a change of shifts at an awkward hour. I however support the Federation's demand that as a rule the employment of women at night, *i.e.*, between 10 P.M. and 6 A.M. should be effectively discouraged.

335. **Recommendations.**—I therefore recommend as under:—

(1) Wherever possible attempts should be made to arrange, by amalgamation of the cadres or otherwise, that the men employed in night duty alternate with those working in the day shift to the extent feasible.

(2) Where adequate relief is not possible by this method, the men affected should be transferred after completion of one or two years' service to some other stations where they will not be subject to continual night duty.

(3) Employment of women at night, *i.e.*, between 10 P.M. and 6 A.M. should be effectively discouraged save in professions where women only have to be employed, *e.g.*, nurses, dais, etc.

My proposals for the grant of weekly rest including a full night in bed to all continuous and intermittent workers will also provide some relief to the staff affected.

336. **Unsatisfactory nature of running rooms, crew vans and rest vans.**—In the course of the evidence numerous complaints were received as to the unsatisfactory condition of running rooms provided at out-stations for engine crews and guards, and of crew vans and rest-vans or compartments in running trains provided for spare crew and other travelling staff. Time spent by running staff in running rooms and crew vans will continue to count as rest and not as duty. Similarly in the case of other travelling staff such as road-van clerks and porters, store line distributors, etc., the bulk of the time spent in the rest vans or compartments provided for their use will count as rest under paragraph 188, Chapter VI and paragraph 295, Chapter XII. It is therefore essential that the running rooms. crew vans, rest vans, etc., should be such as to afford reasonable facilities for rest. We had occasion to inspect these at Gorakhpur, Howrah and Nagpur. With one or two exceptions, the accommodation and other amenities provided left much to be desired. The most unsatisfactory of the running rooms we saw were the Indian drivers' running rooms at Gorakhpur where the accommodation was inadequate, the rooms were badly ventilated and poorly fitted and the surroundings were insanitary.

337. **Recommendation.**—I suggest that the time has come for Administrations to give special attention to this problem. One does not mind fatigue caused by a hard day's work if it is followed by rest and a reasonable degree of comfort. I was glad to find that the Indian Railway Conference Association also in a resolution passed in September last stressed the need for providing adequate accommodation and a number of other desirable facilities in stores delivery vans.

338. **Necessity of providing a rest room at large stations.**—For similar reasons, I suggest that it would be a good thing for Administrations to provide a rest room at each fairly large station for the use of relieving and other staff coming from outstations on duty as well as of local staff whose duty ends at an awkward hour in the night and who live far away and are ordinarily unable to go home due to lack of transport facilities. On the South Indian Railway relieving station masters complained that when they went for relief duty to a station, there was no place where they could go for rest and they had to make themselves as comfortable as they could on the platform. Pay clerks on the O. T. Railway and travelling ticket examiners on the M. & S. M. Railway also had the same complaint. Certain booking clerks at Victoria Terminus are relieved at mid-night when there is no suburban train to take them to their homes.

339. **Value of providing such amenities.**—Provision of amenities of the kind suggested will, I am confident, produce a good psychological effect and may ultimately pay the Administration more than the expense involved in the shape of greater efficiency and loyalty on the part of the staff concerned.

CHAPTER XVII.—PROVISION OF A SUITABLE MACHINERY TO ENSURE FAIR AND CORRECT CLASSIFICATION AND TO RESOLVE DISPUTES

340. **Necessity for machinery to ensure fair and correct classification.**—As explained in paragraphs 86 and 87 of Chapter V the correct classification of the staff is a matter of vital importance since upon it depends the degree of protection enjoyed under the Regulations and as questions of extra expense often arise, differences of opinion naturally occur between the Administrations and the workers or their representatives. In the course of the evidence, the existing classification was frequently disputed by several witnesses who maintained that the assumed periods of inaction were, in fact, non-existent and that the combined duties performed by the subordinate and inferior staff at way-side stations had been ignored in determining their classification. Classification of a railway servant cannot be a static matter and may vary according to fluctuations of traffic and changes in time-table. If an assistant station master was classified as intermittent on the basis that he had to deal with a few trains, it may be necessary to reclassify him as continuous if the number of trains is increased. It is necessary therefore to provide adequate machinery to ensure fair and correct classification in respect of the various categories of staff at various places and to prevent infringements of the spirit and the letter of the Hours of Employment Regulations.

341. **Chief Labour Commissioner and his staff.**—When the Indian Railways (Amendment) Bill was under examination by the Select Committee of the Legislative Assembly in 1930, the necessity of having an organisation, independent of Railway Administrations, to supervise the working of the Regulations was realised. Accordingly, under section 71G of the Act, the Governor-General-in-Council was given power to appoint Supervisors of Railway Labour charged with the duty of inspecting Railways in order to determine whether the provisions of the Hours of Employment Regulations were duly observed. In exercise of this power, a Supervisor of Railway Labour was appointed in 1931 with two Inspectors of Railway Labour to assist him in so far as the N. W. Railway was concerned. With the progressive extension of the Regulations to other railways, the number of Inspectors was added to from time to time. In 1937, the administrative control over the Supervisor of Railway Labour was transferred from the Railway Department to the Labour Department of the Government of India. In pursuance of the provisions contained in the Trade Disputes Act, 1929, the Government of India in the Labour Department decided towards the end of 1937 to set up a conciliation machinery for the prevention of disputes and the promotion of cordial relations between the Railway Administrations and organised labour on the Railways. This decision was given effect to by the appointment of a Conciliation Officer with headquarters at Calcutta, his sphere of activity extending over the E. I. and E. B. Railways. The Company-managed Railways having their headquarters in Calcutta were invited to avail themselves of the services of the Conciliation Officer. In December 1939 the Government of India combined the two organisations, *viz.*, the Supervisor of Railway Labour and the Conciliation Officer (Railways). In 1945, the Government of India set up a machinery to deal with industrial relations in the Central sphere and merged the organisation of the Conciliation Officer (Railways) and Supervisor of Railway Labour in it. The industrial relations machinery now consists of the Chief Labour Commissioner (Central), three Regional Labour Commissioners, 9 Conciliation Officers and 30 Labour Inspectors. The jurisdiction of this machinery extends to all industrial establishments and other undertakings owned or controlled by the Government of India, Federal Railways, mines and oilfields, and major ports. The functions entrusted to it are mainly these:

(1) Conciliation of trade disputes.
(2) Welfare excluding welfare in coal mines for which a separate organisation exists.

(3) Operation of labour laws to the extent to which their administration is a central responsibility except in so far as a separate machinery has been provided.

Soon after the new machinery was set up, and the Regional Labour Commissioners for each region were appointed, an unprecedented wave of labour unrest all over the country including central undertakings, engaged almost undivided attention and care of the officers of this organisation.

342. **Nature of inspection by the staff of the Chief Labour Commissioner.**—Although the Labour Inspectors are not given statutory powers under the Indian Railways Act, they carry out inspections of stations and establishments on behalf of the Supervisor of Railway Labour to see that the provisions of the Hours of Employment Regulations are being observed. They are expected to inspect all small stations at least once in two years and others once in a year. During the inspection, the Inspectors examine the work of some members of the staff to see that their classification is in accordance with the law. They see whether the duty rosters are drawn up in accordance with the provisions of the law and are displayed at the place of work as required by the Rules. They also contact the employees to ascertain the difficulties, if any, experienced by them. After inspection the Inspectors submit monthly reports in two forms, one dealing chiefly with cases of doubtful or incorrect classification and the other with other irregularities. The former are subjected to further scrutiny in the office of the Regional Labour Commissioner and then referred to the Railway Administrations for necessary action. If necessary, questions are taken up with the Railway Board by the Chief Labour Commissioner. Annual reports on the working of the Hours of Employment Regulations are compiled every year by the Chief Labour Commissioner and submitted to the Government of India in the Labour Department.

343. **Inadequacy of staff at the disposal of the Regional Labour Commissioners.**—All the three Regional Labour Commissioners who gave evidence before me expressed the view that the staff at their disposal was not adequate to enable them to carry out their duties as satisfactorily as they would wish; for instance, there is only one Labour Inspector for the whole of the South Indian Railway and so also for most of the M. & S. M. Railway. I must, however, leave it to the Chief Labour Commissioner to consider the extent to which the organisation needs strengthening.

344. **Necessity of internal organisation on Railways.**—Further as prevention is better than cure, it is equally important that Administrations themselves should employ adequate staff to ensure as far as practicable the observance of the Regulations in general and the correct classification of the staff in particular. With the best will in the world, there are bound to arise cases of unfair classification if this question is left completely to executive officers. A controlling and co-ordinating machinery is necessary at the centre to ensure that the application of the Hours of Employment Regulations is fairly uniform and reasonable on the Railway as a whole. As a matter of fact, in the course of this very Adjudication several instances of incorrect classification were cited in the statements of witnesses, and as these statements were supplied beforehand to the Administrations, cases were not infrequent when by the time the evidence came to be recorded, the classification was already corrected. If such cases had been brought to the notice of the Administrations by their staff specifically detailed for such work, presumably the matter would have been set right a long time ago. There were certain complaints by Regional Labour Commissioners that cases of infringement of the Regulations when brought to the notice of the Railway Administrations were not always promptly attended to. It sometimes took months before a reply was received. If the Administrations had their own organisation as suggested, any references received from Labour Inspectors or Regional Labour Commissioners could be promptly attended to.

345. **Staff at present employed by various Railways.**—At present, with one or two exceptions, Railway Administrations have not made adequate provision in this direction. The N. W. Railway has only two clerks at headquarters and one or two on each division; the G. I. P. Railway one clerk in each transportation division and the M. & S. M. Railway a clerk in the General Manager's office and another in the office of the Chief Operating Superintendent besides one in each of the four transportation districts. The B. B. & C. I. Railway has only one Inspector at headquarters and the O. T. Railway has two though the latter recently obtained the loan of an officer from the Labour Department to assist in a special investigation. On the S. I. Railway no special staff whatever is employed.

346. The E. I. Railway, however, has 2 Inspectors at headquarters and three for the six divisions. The B. A. Railway has also one Inspector with three clerks at headquarters and 2 Inspectors and 11 clerks for districts and divisions. On the B. N. Railway the organisation is well-developed as shown in the following chart:—

GENERAL MANAGER'S OFFICE

Senior Inspector (Pay Rs. 300)
Junior Inspector (Pay Rs. 200)
2 Clerks . . (Pay Rs. 104 each)

Loco Department.	Commercial and Transportation Department.
1. Senior Inspector (Rs. 300) with 1 Junior Inspector (Rs. 200) and 1 clerk at Headquarters and 6 clerks for six districts.	One Assistant Inspector (Rs. 150) and 2 clerks at headquarters and 6 Assistant Inspectors (Rs. 150) and 21 clerks in Districts.

Note.—**The pay indicated is on the revised scales and men in the old scales get higher pay *e. g.*, Rs. 350—25—450 in the case of the Senior Inspectors and Rs. 200—40—250 in the case of the Junior Inspectors.**

347. **Recommendations.**—As on the other railways, the staff provided attends to the work in connection both with the Hours of Employment Regulations and the Payment of Wages Act. There was also evidence in the shape of circulars issued from time to time to show that on this Railway special interest was taken in the broader aspects of the work. I recommend that Administrations should consider the desirability of providing an adequate organisation on somewhat similar lines not merely for the routine work but for the more important work of ensuring as far as possible that the classification of the staff is in accordance with both the spirit and the letter of the Regulations. The same staff could with advantage be utilised for any investigation that may be necessary in connection with demands for additional staff. It will be seen that Inspectors on the B. N. Railway are fairly well-paid: this is as it should be as the men chosen must be of special merit and able to form and express their opinions in collaboration with, and yet independently of, the Traffic and other Inspectors employed in the executive branches.

348. **Machinery suggested for settlement of disputes regarding classification.**—In connection with this subject there is one more point which deserves attention. At present there is no proper machinery for the settlement of disputes arising out of the application of the Regulations. The Labour Inspectors and Regional Labour Commissioners can only bring to the notice of the various Administrations cases of wrong or doubtful classification. On the B. B. & C. I. Railway, by special arrangement with the Administration, all doubtful cases are examined jointly by the Labour Inspector concerned and a railway subordinate nominated by the Administration. The Chief Labour Commissioner in his latest report says that this system has yielded good results and can be

usefully extended to other Railways. Under the existing rules, decision as to the proper classification rests with the Railway Administrations subject, however, to a reference in any disputed case to the Central Government (in the Railway Department) whose decision shall be final. In actual practice very few references have been made to the Railway Board. In this connection a demand has been made that the final decision should rest with an independent organisation. On the whole I recommend that while the classification of the staff may continue to be initially determined by the Railway Administrations with the help of the organisation already suggested, any case in which the classification is challenged by the employee concerned or by a recognised union of which he is a member, should be referred to the Regional Labour Commissioner who should communicate his decision after an inquiry which may be held either by him or by his Deputy or Assistant, if any, or by a Labour Inspector nominated by him. At such inquiry an opportunity shuold be afforded to the representatives both of the Administration and the employee to present their case. Further if the decision of the Regional Labour Commissioner is not accepted either by the Administration or by the employee concerned or the recognised Union of which he is a member, the matter should be referred for the final decision of the Chief Labour Commissioner. This proposal naturally presupposes that the Regional Labour Commissioners and Labour Inspectors are familiar with not only the Regulations but the working conditions on railways, and it may be an advantage if specially selected men from the Railways are transferred on a permanent basis to the staff of the Chief Labour Commissioner as a large part of the duties of such staff is concerned with the administration of the labour laws on the railways.

CHAPTER XVIII.—DATES BY WHICH PROPOSALS CAN BE IMPLEMENTED

349. **Views of Railway Administrations.**—The latter part of the first term of reference requires me to suggest the date or dates by which the reduction in the hours of work recommended in the course of this Adjudication could be effected, taking into consideration the administrative difficulties. It has been necessary for this purpose to consider both the 1st and 2nd terms of reference together as the weekly hours of work and hours of rest are inter-connected. Accordingly it became necessary for me to give a general indication—even tentatively and of course confidentially—of the possible lines on which my recommendations on the first two terms of reference were likely to be framed after recording evidence in respect of six railways and to seek their advice as to the administrative difficulties anticipated and the probable dates by which it would be possible for them to implement the proposals. The Administrations have been good enough to send me their views in the matter and as the final recommendations embodied in this report are substantially the same as the tentative proposals communicated to the General Managers in December last year, their replies would more or less hold good still.

350. **Estimate of additional staff and cost and difficulties anticipated.**—It has been calculated that the recommendations in respect of the hours of work and periods of rest would involve the employment of additional staff to the extent of about 79,000 men on all the nine Railways at an annual recurring expenditure of 650 lakhs of rupees. The employment of staff on such an enormous scale is bound to involve administrative difficulties which according to the replies received from the General Managers and as explained by Mr. Hasan, would fall under three distinct heads:—

(1) recruitment of the additional staff;

(2) training of the staff required; and

(3) provision of quarters for the additional staff and where necessary, construction of loco. sheds and running rooms.

351. **Large proportion of additional staff needed in class IV services.**—Although the majority of the railways have not indicated the likely proportions, the General Manager of the M. & S. M. Railway estimates that of the 9,100 men required on his Railway, about 5,700 would be inferior staff, 1,550 running staff and 1,850 other subordinate staff. The corresponding figures reported by the E. I. Railway are 4,000, 4,750 and 750 respectively. On the whole there can be no doubt that more than 50 per cent. of the total additional staff will be in the new Class IV services.

352. **Recruitment of additional staff.**—As stated by most of the Railway Administrations, the recruitment of staff in Class IV Services will not present very considerable difficulty: in fact my proposals should assist in the absorption of surplus staff as I understand that about 75 per cent. of the staff who may be surplus to normal requirements as a result of the appointment of ex-servicemen, etc., would be in the lower grades. But some difficulty may be experienced in the recruitment of the subordinate staff and the running staff. When the war was on, most of the Railway Administrations found considerable difficulty in getting recruits, even though they reduced the educational qualifications and waived the age limit. Now that more or less normal conditions are being restored and the prospects of the railway servants are likely to be improved as a result of the recommendations of the Pay Commission, it may be hoped that there will not be any serious difficulty in recruiting the required staff in addition to the normal recruitment.

353. **Training of additional staff.**—Then with regard to the second problem of training the staff, in so far as Class IV staff are concerned, no difficulty arises as most of the staff are recruited without previous training and acquire whatever skill they possess as a result of experience. But the training of the subordinate staff such as assistant station masters, cabinmen, signallers, guards, etc., does create problems. Out of the nine Indian Government Railways only three Railways possess properly equipped schools for the training of the staff on a comprehensive scale. The North Western Railway has one at Moghulpura the G. I. P. Railway at Bina and the East Indian Railway at Chandausi. There are small schools attached to most of the other Railways which however cater for the training of a few specified classes such as mechanical staff, signallers and persons connected with train passing duties; in these schools the facilities provided are absolutely inadequate to cope with the training of a large number of staff. Even the larger schools on the three railways named will not find it an easy task to arrange for the training of the additional staff, as the facilities now provided would as a rule be barely sufficient for the normal training and promotion courses. Then there is also the difficulty of finding suitably qualified instructors. At present the Railways are finding difficulty in obtaining such staff and their resources are bound to be taxed to a considerable extent when, in addition to training recruits for normal wastage, they have to train additional staff required for the purpose of implementing these recommendations. I am advised that it would be difficult to find suitable trained staff among ex-servicemen for the subordinate grades firstly because they do not possess in full the qualifications required and secondly, the prospects on the Railways may not attract ex-servicemen. Incidentally it seems to follow that so far as the subordinate staff are concerned, there is no real danger of retrenchment.

354. **Training of assistant station masters, signallers, etc.**—Training of assistant station masters and signallers takes from six to about nine months and of other subordinate staff, with the exception of loco. running staff, usually less. Allowing for the time required for recruitment and for the necessary expansion of training facilities I expect that it should be possible to implement the recommendations in the case of subordinate, other than loco. running, staff within an year to 18 months of the announcement of the Government of India's decision. In fact some of the Railways estimated that the time required would vary from 6 months to one year.

355. **Training of running staff.**—Then there remains the question of the loco. running staff. Many Administrations have replied that a period of 18 months will be required to implement the recommendations regarding running staff but I fear this estimate may prove too optimistic, considering railways as a whole. The bottle neck is likely to be in the training of firemen to fill the additional posts in the cadres both of drivers and firemen. On the whole from the general trend of the replies received and having regard to the possible need of shed facilities at new places, I expect it should be possible to implement the recommendations with regard to loco. running staff within two to 2½ years.

356. **Provision of quarters.**—The next difficulty would be provision of quarters for the additional staff required. At present about 40 per cent. of the subordinate staff are housed in railway quarters. The Railways have a fairly big programme in hand for the provision of staff quarters in the post-war period. Some re-adjustment in the programme may be necessary as a result of my recommendations, in order to give priority to the requirements of "essential" staff. It will naturally take several years before the quarters required for all the additional staff can be built, but there is no valid reason why this should delay the implementation of my recommendations. In certain cases and places, *e.g.*, assistant station masters at way side stations, the provision of quarters may be a pre-requisite but it should be possible for Administrations to provide quarters in such cases in a reasonable time. As pointed out by some railways, a proportion of even essential staff are not housed at present. Mr. Guruswamy in the course of his argument gave an undertaking that the railway staff would be prepared to make their own arrangements rather than have implementation of these proposals delayed on account of lack of quarters. He said "I cannot anticipate the difficulties, but generally the Federation is prepared to take a reasonable view and realise the difficulties of the Administrations".

357. **Proposals.**—I therefore suggest that it should be possible, after making due allowance for administrative difficulties, to implement the Government of India's decisions on my proposals with regard to hours of work and periodic rest—

(1) in six months to a year in the case of Class IV services;

(2) in 12 to 18 months in the case of subordinate staff, other than loco. running staff; and

(3) in two to two and a half years in the case of loco. running staff.

It is interesting to recall in this connection Mr. Guruswamy's statement that the I.L.O. office had suggested 3 years as the period of transition from 48 hours to 40 hours in 1935.

358. **Individual Railway Administrations to implement proposals earlier where feasible.**—On some Railways it may be possible to give effect to the proposals in a much shorter time than the periods stipulated above, especially if surplus staff is available. For instance, on the South Indian Railway as the working conditions of the running staff approximate to those laid down in the Hours of Employment Regulations the additional staff required in the case of the loco. running staff will not be so considerable as in the other Railways and it may be possible to implement my proposals in their case in less than even two years. The dates suggested by me should be taken as the target to be aimed at and it should be open to individual Administrations to give effect to the proposals from any earlier date if possible instead of waiting till all Railways are simultaneously able to do so. Mr. Guruswamy also agreed to this. No delay beyond the periods suggested should however be permitted save in special or unforeseen circumstances and then too with the special sanction of the Government of India.

PART III.—LEAVE RULES AND LEAVE RESERVES

CHAPTER XIX.—EXISTING LEAVE RULES AND OTHER HOLIDAY CONCESSIONS APPLICABLE TO RAILWAY SERVANTS WHO ARE DAILY RATED OR IN INFERIOR SERVICE

359. We now come to items 3 and 4 of the terms of reference which read as under:—

"(3) Whether the existing provisions regarding leave reserve are satisfactory; if not, the modifications required to provide reasonable facilities to railway servants to enjoy leave due to them.

(4) Whether the existing leave rules and other holiday concessions applicable to railway servants, who are daily rated and/or in inferior service need liberalising and, if so, to what extent."

It would be appropriate to deal first with item 4 as the leave reserve that is necessary depends on the leave privileges to which the staff are eligible. It is proposed in this chapter to trace the history and the salient features of the leave rules and holiday concessions applicable, in particular, to railway servants who are daily rated or in inferior service and in the next to consider to what extent these need liberalising. Opportunity is also taken to give a general indication of the leave rules, old and new, applicable to Indian subordinate staff on State Railways in view of the demand made by the All-India Railwaymen's Federation and the various railway unions for the removal of the existing discrimination between such staff and those with whom we are directly concrened, namely, inferior and daily rated staff.

360. **Leave Rules for Government servants prior to 1st January 1922—Civil Service Regulations.**—Prior to 1st January 1922, the leave of Government servants including State Railway employees was governed by the leave rules contained in the Civil Service Regulations. These rules were re-cast and with a few improvements, especially in the direction of accumulating earned leave on full pay, were embodied in the Fundamental Rules which were promulgated with effect from 1st January 1922.

361. **Leave Rules from 1st January 1922—Fundamental Rules.**—The leave privileges under the Fundamental Rules admissible to employees of Asiatic domicile, both gazetted and non-gazetted, are summarised below:

(1) Total leave earned and admissible in terms of leave on average pay . .	2/11ths of duty subject to a maximum of 1/11th of duty *plus* 2½ years in the service.
(2) Total leave on average pay admissible in the service	1/11th of duty, *plus*, in the case of an employee, other than one in inferior service who takes leave on medical certificate or spends his leave out of India, one-fifth of the service.

Note.—The balance left out of (1) is admissible on half average pay, half of it being debited to the account of leave earned.

(3) Leave on average pay admissible at one time	4 months, extensible to 8 months in the case of an employee, other than one in inferior service, who takes leave on medical certificate or spends his leave out of India.
(4) Maximum leave with leave salary admissible at one time . . .	28 months without medical certificate and without limit with medical certificate provided that after 28 months leave only quarter average pay is admissible, and subject to the general condition that after 5 years' continuous absence, whether with or without leave, a person ceases to be in Government service.
(5) Leave not due on half average pay (to be debited to leave earned subsequently)	(a) On medical certificate without limit. (b) If otherwise, for not more than 6 months of any one time and 12 months in all.

"Average pay" for the purpose of these rules means the average monthly pay earned during the twelve complete months preceding the commencement of the leave.

362. **Inferior staff.**—Save to the extent stated above, these leave rules made no distinction between the subordinate and inferior staff in respect of the scale of leave, but it was provided "that the leave salary of an inferior Government Servant shall not exceed what remains from his pay after providing for the efficient discharge of the duties of the post during his absence, except when, in the resultant officiating arrangements, a Government servant who has no substantive post is given more than half the pay of the post in which he officiates, in which case the excess over half pay granted to him may at the discretion of the authority sanctioning the leave be disregarded in calculating the amount of leave salary". Under a rule made by the Governor General in Council in 1936 this proviso is not applicable in departments and offices where a leave reserve for the inferior establishment exists.

363. Under the general power vested in the Government of India by Fundamental Rule 2, leave privileges on a limited scale were retained for several categories of staff in inferior service on certain State Railways. Thus on the N. W. Railway, the Fundamental Leave Rules were applied to such staff only in offices and in the Traffic and Carriage and Wagon Departments while in the other branches they were generally given only casual leave. Similarly on the E. I. Railway, which was transferred to State management in 1925, the application of the Fundamental Rules was confined to office inferior staff while other inferior staff and labourers were eligible for no leave except 15 days' casual leave, inclusive in some cases and exclusive in others of paid holidays, if any.

364. **Daily rated staff.**—So far as daily rated staff are concerned, the Civil Service Regulations or the Fundamental Rules made no provision whatever for them. As a rule such staff, therefore, enjoyed no leave privileges beyond the hospital leave admissible under Supplementary Rule 290 in cases of injuries sustained on duty and a limited number of paid holidays or casual leave *in lieu*, the main idea apparently being that daily rated staff were only to be paid for the days they actually worked.

365. **Defects noticed in old leave rules.**—In course of time it came to be generally recognised that the Fundamental Rules were over-liberal in respect of the scale of leave—a view also expressed by the Labour Commission in 1931 —while in the case of staff in inferior service on the other hand it was felt that the "no extra cost" condition operated unfairly in depriving such staff of the concession of leave on full pay and what was more, several categories of such staff on certain railways were relegated to a lower, often very limited scale of leave. Equity also demanded that the daily rated staff on railways, the majority of whom consisted of workshop labourers, must, after completion of a certain amount of service, be treated as employees on the regular establishment, as distinct from casual labour, and given reasonable leave privileges instead of being excluded altogether as in the Civil Service Regulations and the Fundamental Rules. Finally the Railway Board felt it necessary "to frame a set of rules more suitable to a commercial department which will be simple to apply and will obviate elaborate calculations of leave and leave salary and the maintenance of complicated leave accounts".

366. **New State Railway Leave Rules—April 1930.**—The first attempt to revise the rules with a view to removing the defects mentioned above was made in the Railway Department with the issue of the New State Railway Leave Rules with effect from 1st April 1930. These rules were made by the Government of India under the power vested in them by Fundamental Rule 2 and were made applicable to new entrants appointed on or after 1st April 1930 (or such other earlier dates as had been notified for the purpose on various

State Railways) as well as to any employees already in the service who elected for them. They laid down separate scales of leave for (1) subordinate staff, and (2) inferior and daily rated staff as well as any workers on monthly rates of pay, as shown below:—

(Section A).—Subordinate staff of Asiatic domicile.

(i) Leave earned:

(a) on full pay, 1/15th of service, which comes to 24 days per year of service; and

(b) on half pay, 1/30th of service, which comes to 12 days per year of service.

(ii) Leave admissible at one time:

(a) on full pay, two months extensible to four if leave is taken on medical certificate or after 20 years' service.

(b) on full pay combined with leave on half pay, six months extensible to two years on medical certificate, provided that the portion of leave on full pay does not exceed the limits in clause (a).

(iii) Leave not due on half pay to be granted only in exceptional circumstances such as illness or urgent private affairs and to be debited to leave subsequently earned—upto 6 months in all.

(Section B).—Inferior and daily-rated staff and monthly-rated labourers

(i) Leave on full pay—

Length of total service	Leave admissible
Less than 3 years	Nil.
3 years and over but less than 10 years .	10 days in any one calendar year.
10 years and over but less than 20 years .	15 days in any one calendar year.
20 years and over	20 days in any one calendar year.

(ii) Leave on medical certificate on half pay—

(a) In the case of daily-rated running staff and monthly-rated Augwallas of the G. I. P. Ry.	Upto 30 days in any one calendar year.
(b) In the case of other inferior and daily-rated staff, provided they had completed 20 years' service.	Upto 30 days in one calendar year and 120 days in all.

NOTE 1.—The term "pay" under the New State Railway Leave Rules means pay drawn by a railway servant in the permanent post held substantively by him on the date preceding the commencement of his leave. In the case of a daily-rated employee it means the pay or wages which he would have drawn had he remained on duty but it does not include any increase which might have accrued to him during the commencement of the leave. In the case of staff entitled to running allowances "pay" includes the average of such allowances earned during the 12 complete months preceding the commencement of the leave subject to a maximum of 75 per cent. of pay—a concession which was granted under the old leave rules as well.

NOTE 2.—Leave to daily-rated staff may be withheld in cases of irregular attendance.

NOTE 3.—In respect of inferior servants working in railway schools, the leave on full pay admissible in any one calendar year as shown above shall be reduced as follows:

(i) When full vacation is availed of . .	To nil.
(ii) When only a portion of a vacation is availed of. .	By a fraction (of 10, 15 or 20 days according as the leave admissible in any one calendar year may be) equal to the proportion which the part of the vacation availed of bears to the full period of vacation.

367. **Subsequent improvements in leave rules applicable to inferior and daily-rated staff.**—The leave privileges of inferior and daily-rated staff as shown above were further improved in subsequent years in the following respects:—

(i) in 1931 leave on medical certificate on half pay was allowed to such staff who had 10 years' service and over but less than 20 years, upto 15 days in one calendar year and 60 days in all;

(ii) in 1939, the right to accumulate leave on full pay was allowed upto 30 days; and

(iii) more recently, *i.e.*, in December 1945, following an amendment of the Factories Act, 1934, which provides for the grant of ten consecutive holidays with pay to adult workers in factories, the concession of 10 days' leave on full pay was allowed after one year's service instead of 3 years.

368. **Temporary employees.**—The leave rules referred to in paragraphs 361 to 367 are applicable only to permanent and not to temporary employees in the case of monthly-rated staff. Under the Fundamental Rules, temporary government servants were eligible for (1) leave on full pay at one-eleventh of duty subject to a maximum of 4 months at a time, and (2) leave on medical certificate on half pay upto 3 months at any time, provided that the grant of any such leave involved no expense to Government. Under the New State Railway Leave Rules temporary employees on monthly rates of pay who have completed one year's service are eligible for leave on full pay for 10 days per calendar year subject to the condition that such leave may not accumulate for more than 20 days: a temporary railway servant on completion of 5 years' service, however, qualifies for leave on the scale admissible to permanent staff with retrospective effect.

369. **Inferior staff paid from contingencies.**—Employees in inferior service paid from contingencies are not entitled to leave with allowances under the rules. As a rule, such employees are employed for particular seasons, *e.g.*, hot water establishment, or for part-time, *e.g.*, dhobis, etc., and would not, therefore, earn any leave under the foregoing rules. On the G. I. P. Railway, there are some categories of employees in the transportation Department, *e.g.*, running room staff, call-boys, etc., whose pay is charged to contingencies but as they are employed for periods exceeding one year, they are treated in the matter of leave privileges on a par with inferior staff borne on the regular establishment.

370. **Ex-Companies' Leave Rules.**—Coming now to the ex-company-managed railways, the leave rules formerly in force were based on the Fundamental Leave Rules approved by the Secretary of State for the guidance of the Railway Companies. The position in respect of inferior and daily-rated staff under the old ex-companies' leave rules on the various railways is detailed below:—

(1) **E. I. Railway**—*Inferior staff.*—Office inferior staff were eligible for 30 days' leave on full pay in each calendar year. The other inferior staff had leave determined by their scales of pay as under:—

(a) Pay Rs. 16 and under : 7 days' casual or sick leave on full pay in a year.

(b) Pay over Rs. 16 but under Rs. 21: 15 days' casual or sick leave on full pay in a year.

(c) Pay Rs. 21 to 30: 15 days' casual or sick leave on full pay and 15 days on half pay in a year.

(d) Pay over Rs. 30 but under Rs.45: 15 days' casual leave *plus* 15 days' sick leave on full pay and a similar amount of additional leave on half pay in a year.

(e) Pay Rs. 45 and over: Under the leave rules for Indian subordinate staff.

As an exception to the above, gangmen were eligible for 15 days' casual leave on full pay in each calendar year.

Workshop staff.—Those drawing less than Rs. 21 were given 15 paid holidays while those drawing Rs. 21 and over were eligible for leave privileges according to their pay scale as shown above, but the amount of leave admissible on full pay included the paid holidays sanctioned for each shop.

(2) **G. I. P. Railway.**—Inferior and daily-rated staff, including workshop employees, were eligible only for 15 days' non-cumulative leave on full pay in a year, though some indulgence was shown to inferior staff in administrative offices who were in addition eligible for leave on medical certificate on half pay upto 30, 40, 50 or 60 days during the entire service provided they had completed 15, 20, 25 or 30 years' service respectively.

(3) **A. B. Rly. (now part of B. A. Rly.).**—Inferior staff were eligible for (1) leave on full pay upto 10 days in a calendar year, and (2) on completion of 3 years' service, leave on medical certificate on half pay for a period not exceeding 6 months at the discretion of the Administration. An employee actually laid up was also eligible for leave without deduction of pay not exceeding 15 days in any calendar year.

For daily-rated staff, the old leave rules made no provision.

NOTE.—Recently a few small lines formerly worked by private companies have been taken over and merged in the B. A. Railway, but their staff are all under the State Railway Leave Rules.

(4) **O. T. Rly.**—No provision was made in the Company's leave rules for inferior and daily-rated staff. Leave was, however, granted to inferior staff under the orders of the Head of the Department concerned, the normal scale being 10 days on full pay in a year extensible to 15 days in special cases and in exceptional cases to one month with the sanction of the General Manager.

(5) **B. B. & C. I. Rly.**—Inferior staff were eligible for one month's non-cumulative leave on full pay in a year provided that if they did not return on the expiry of the sanctioned leave, the leave was treated as without pay unless the failure to return was due to death or invaliding. Subject to the same proviso gangmen, keymen and mates, labourers in engineering workshops and all daily-rated staff were eligible only for 15 days' leave on full pay in a calendar year to cover casual leave and absence on account of sickness. Such leave was allowed to accumulate upto 20 days only and was subject to the no extra cost condition. No holidays were allowed in addition but the leave admissible could be set off against holidays. The proviso referred to above was in actual practice enforced only when the employee concerned absconded or resigned.

(6) **B. N. Railway.**—Inferior staff were eligible for one month's non-cumulative leave on full pay in each calendar year and also for sick leave on half pay on the scale allowed under the New State Railway Leave Rules. Daily-rated staff were, however, not eligible for any leave.

(7) **M. & S. M. Railway.**—Inferior and daily-rated staff were eligible for 15 days' non-cumulative leave on full pay in a calendar year on completion of one year's service. Workshop employees and labourers were allowed in addition 12 paid holidays in each year subject to regular attendance.

(8) **S. I. Railway.**—Besides the grant of authorised holidays on full pay when their services could be spared and 10 days' casual leave in a year (14 days after 15 years' service), monthly rated inferior staff were eligible for 30 days' sick leave on half pay in a year, or in *lieu* thereof, special leave on medical certificate for one month on full pay and two on half pay in a year if sickness

was certified to be due to unusual exposure while on duty or to service in an exceptionally unhealthy district. Daily-rated staff were only eligible for 15 days non-cumulative leave with pay in each year.

NOTE.—A significant feature of the Companies' Leave Rules is that unlike the Fundamental Rules the "no extra cost" condition was not imposed, the only exceptions being the E. I. Railway and in a partial measure the B., B. & C. I. Railway. This condition is, however, not enforced on the E. I. Railway. Further it came to notice in the course of the inquiry, that the condition is not enforced even in the case of inferior staff subject to the Fundamental Rules on the E. I. and B. A. Railways.

371. **New rules introduced on Company-managed Railways with effect from 1st October 1931.**—The issue of the new State Railway Leave Rules paved the way for the revision of the Fundamental Rules for the guidance of the Railway Companies and the Government of India in forwarding the former to the Secretary of State in August 1930 recommended that they should replace the latter from a date to be specified for the purpose. In view of the policy for the progressive acquisition of the company-managed railways by the State and on general grounds the Secretary of State accepted this recommendation and the new State Railway Leave rules were adopted *en bloc* by all Companies with effect from 1st October 1931, existing incumbents being allowed the option to come under the new rules. The subsequent improvements made in these rules, *vide* paragraph 367 have also been extended to the ex-companies' staff under the New rules.

372. To sum up the present position, the leave of daily-rated and inferior railway servants to-day is mainly governed by the following sets of leave rules:—

(i) Fundamental Leave Rules (*vide* paragraph 361) applicable to persons appointed on State Railways prior to 1st April 1930 or such earlier dates as were adopted for the purpose, unless they elected the New State Railway Rules. These leave rules were, however, not applied to several classes of staff in inferior service nor to daily-rated staff, *vide* paragraphs 362 and 363.

(ii) Leave rules of ex-company managed railways applicable to employees appointed prior to their transfer to State management or before the introduction of the rules modelled on the New State Railway Leave Rules, unless they elected for the latter.

(iii) New State Railway Leave Rules applicable to the vast majority of railway employees, including older employees who elected for them.

373. A statement showing the approximate number of inferior and daily-rated staff governed by the old and new rules based on information supplied by Railways is given below:—

Railway	Old leave rules		New leave rules	Total
	Fundamental Rules	Ex-Companies Rules		
N. W.	12,090	9	87,363	99,462
E. I.	3,349	5,778	81,303	90,430
G. I. P.	3,326	9,959	86,5:0	99,835
B. B. & C. I. . . .	..	7,646	47,736	55,382

Railway	Old leave rules		New leave Rules	Total
	Fundamental Rules	Ex-Companies Rules		
B. A.	900	..	1,18,100	1,19,000
B. N.	..	15,258	36,930	52,188
O. T.	..	5,446	26,454	31,900
M. & S. M.	..	507	36,900	37,407
S. I.	..	1,497	27,364	28,861
TOTAL	19,665	46,100	5,48,700	6,14,465
Percentage	3·2	7·5	89·3	100·0

It will be observed that on the E. I. Railway and G.I.P. Railway three sets of leave rules are in force, since these railways were transferred to State control in 1925 and men appointed after that date and before the introduction of the New State Railway Leave Rules came under the Fundamental rules to the extent to which these rules were applicable to them. Of the total strength of the inferior and daily-rated staff on the railways covered by the terms of reference, no less than 89 per cent are now governed by the New State Railway Leave Rules or Rules modelled on them. Viewed as a whole, these rules offer a considerable improvement on the older leave rules in their application to inferior and daily-rated staff. The "no extra cost" condition which often entailed the virtual denial of all leave with full pay to inferior staff under the Fundamental Rules finds no place in the new rules. What is more, the new rules, for the first time, recognised the right of daily-rated staff to any leave privileges.

374. **Casual leave or paid holidays in** *lieu*.—When the New State Railway Leave Rules were introduced, it was intended that casual leave upto about 15 days in a year and in the case of workshop employees about 15 shop holidays in *lieu* of casual leave, would continue to be allowed without deduction of pay. The following statement shows the casual leave or paid holidays actually admissible to the non-gazetted staff on various Railways subject to the New Leave Rules:—

Name of the Railway	No. of days' casual leave in a calendar year		No. of paid holidays in a calendar year in *lieu* of casual leave allowed to workshop labour (mostly on daily rates)
	Subordinate staff	Inferior staff and labourers except workshop labour	
1	2	3	4
B. A.	15 (10 in first year of service).	15 (10 in first year of service).	20
B. N.	14	14	14

1	2	3	4
E. I.	15	15	15 (17 in Lucknow workshop).
G. I. P.	10	Nil	17
B., B. & C. I. . . .	10	15	17
N.W.	15	15	17
M. & S. M. . . .	10	10 (permanent staff).	14
O. T.	10	15	14
S. I.	14	14 (10 during first 15 years service).	14

NOTE 1.—The amount of casual leave which can be granted at one time is usually limited to 7 to 10 days. No such limit is observed on the E. I. and B. N. Railways.

NOTE 2.—On certain sections of the Quetta division on the N. W. Railway owing to long distances and infrequent train service casual leave is increased to 20 days in a year and 15 days at one time.

NOTE 3.—Inferior staff in offices are also usually granted a certain number of gazetted and local holidays if they can be spared, and on the E. I. Railway they are given compensatory leave if required to work on gazetted holidays. On some railways inferior staff are granted a limited number of important local holidays by rotation though not as a matter of right. On the S. I. Railway the number of such holidays allowed is 3 in a year, compensatory leave being given if they are foregone. On the B. B. & C. I. Railway where inferior staff, *e.g.* in offices, are allowed 15 or more holidays, no casual leave is allowed in addition.

375. **Special kinds of leave.**—So far this chapter has described the general rules relating to leave with leave salary. There are certain other kinds of leave admissible only in special circumstances and these are summed up below:—

(1) *Hospital leave.*—This may be granted to State railway non-gazetted employees, while undergoing medical treatment for injuries sustained on duty, to such extent as may be considered necessary, on full or half pay at the discretion of the competent authority *vide* rule 743 of the State Railway Establishment Code, Vol. II. Generally full pay is sanctioned, but the leave salary may be limited to half pay if the accident is due to the neglect of the employee himself or the period of treatment is unduly prolonged due to his failure to co-operate with the medical authority. As a rule General Managers have power to sanction this leave upto 24 months, while the Board's power is unlimited.

NOTE 1.—In the case of a railway servant to whom the Workmen's Compensation Act, 1923, applies, the amount of leave salary payable during hospital leave is reduced by the amount of compensation payable under the said Act during the period of temporary disablement. When, however, the disablement proves to be permanent and compensation becomes payable for it, the Code rules already cited provide that hospital leave salary should be restored to the full amount admissible but the rules in force on some railways, *e.g.*, the M. and S. M. Railway, do not allow this concession.

NOTE 2.—In the case of non-gazetted government servants (including railway servants), subject to the leave rules contained in the Fundamental Rules, Supplementary Rule 269 also allows hospital leave for a period of medical treatment for illness directly caused by risks incurred in the course of their official duties. The leave salary admissible is equal to full or half pay at the discretion of the competent authority and the amount of leave under this rule is limited to 5 months, hospital leave on half average pay counting as half the amount of leave on average pay for this purpose. The rules in force on the ex-company managed railways make no provision for the grant of hospital leave in such circumstances and it would appear from the replies received that in actual practice hospital leave is not granted on any railways in cases of illness, as distinct from injury, caused by risks incurred in the performance of duty.

(2) *Disability leave.*—This leave is admissible to a Government servant who is disabled by injury intentionally inflicted or caused in, or in consequence of due performance of his official duties, or in consequence of his official position. The maximum period for the grant of such leave is 24 months in consequence of any one disability, full pay being allowed for the first 4 months in the case of men under the Fundamental rules and three months for Subordinates and 30 days for inferior staff in the case of men under the New State Railway Leave Rules and half pay for the remaining period. In the case of a person to whom the Workmen's Compensation Act applies, the leave salary is subject to a reduction by the amount of compensation payable under the Act during the period of temporary disablement. The concession of disability leave may be extended by the Governor General in Council to a Government servant who is disabled by injury accidentally incurred in his official duties or by illness incurred in performance of any particular duty which has the effect of increasing his liability to illness beyond the ordinary risk attaching to the civil post which he holds.

NOTE 1.—In the case of ex-companies' staff the rules of some railways only, *e.g.*, A. B., M. & S. M. and S. I. Railways provided for the grant of disability leave.

NOTE 2.—In actual practice cases of such disability are as a rule covered by the concession of hospital leave and as the latter is generally more liberal, recourse to the grant of disability leave is made rarely if at all.

(3) *Quarantine leave.*—Such leave is treated as duty and may be allowed on full pay to an employee kept away under a quarantine certificate issued by a medical officer provided that if the employee himself is suffering from any infectious disease, he is ordinarily granted leave under the ordinary leave rules *vide* Rules 739 to 742 of the State Railway Establishment Code, Vol. I. The amount of such leave depends on the period for which quarantine is imposed and although such period normally ranges from 5 to 14 days according to the particular disease *vide* Rule 94-I of the State Railway Establishment Code, the rules on several, though not all, Railways prescribe a higher maximum limit, *viz.* 30 days, to cover exceptional cases. On the M. & S. M. Railway this leave is allowed in the case of the ex-companys' employees, even if the employee himself is suffering from an infectious disease.

NOTE.—The absence of a railway servant due to voluntary vaccination—usually a day or two—may also be treated as special casual leave. *Vide* rule 742 of the State Railway Establishment Code.

(4) *Leave for anti-rabic treatment.*—Any Government servant including a railway employee, on pay not exceeding Rs. 500 per month, who is bitten by a rabid animal may be allowed, along with certain other concessions, one month's casual leave, or when the appointment of a substitute is found necessary, one month's extra leave on full pay counting as duty, to enable him to undergo anti-rabic treatment, at a recognised hospital or Pasteur Institute.

(5) *Maternity leave.*—Under Supplementary Rule 267, a competent authority may grant to a female Government servant, including a railway servant, maternity leave on full pay upto 3 months from its commencement or upto the end of 6 weeks from the day of confinement whichever be earlier. In the case of ex-companies' employees the rules make no provision for such leave save on the B., B and C. I. Railway though on the S. I. Railway also maternity leave upto one month is admissible to female sweepers.

(6) *Special casual leave to Union Officials.*—This concession (along with special passes) is allowed to railway employees who are Union Officials, their number being fixed at the discretion of the Administrations, to enable them to attend Union meetings, subject to a maximum of 4 such meetings per annum. The concession is also allowed to members of a Union deputation which may be received by the Administration.

(7) *Leave for sports.*—Employees taking part in recognised tournaments, etc., are allowed special casual leave for the purpose. No limit has been fixed for such leave on some railways, *e.g.*, N.W. Railway and G.I.P. Railway, while on others *e.g.* E.I. Railway and B.A. Railway, the limit is 7 days for tournments on the home line, 15 days including training period for inter-railway contest, and 21 to 30 including training period for major annual tournaments.

(8) *Extraordinary leave without pay.*—Such leave may be granted in special circumstances when either no leave is admissible or when the railway servant concerned applies in writing for the grant of such leave. In the case of persons in temporary service the period for which such leave may be granted is limited to 3 months at any time.

376. **Types of staff eligible for leave on the scale applicable to inferior and daily-rated staff.**—Before closing this chapter, it is necessary to indicate precisely which types of staff are eligible for leave on the scale applicable to inferior and daily-rated staff under the New State Railway Leave Rules or the rules modelled on them *vide* paragraphs 366, 367 and 371. This lower scale of leave privileges is applicable to:—

(1) Inferior staff, *vide* Rule 711 of the State Railway Establishment Code, as defined in sub-rule (9A) of Rule 101 *ibid*, which is reproduced below:—

"Inferior" staff includes besides duftries, office peons, jamadars, sweepers, chowkidars, saloon attendants, watermen, mates, bhisties and others carrying out duties of this character:—

(a) Staff who belong to a class, the sanctioned scale of pay of which does not exceed Rs. 30 p.m. except.—

(i) those employed in workshops and sheds; and

(ii) those specially excluded from the category of 'inferior staff' with the sanction of the Railway Board.

(b) Any other staff who may be specially classed as inferior by the Railway Board or by the General Managers in respect of persons employed on a railway.

NOTE.—In case of running staff "pay" under clause (a) may be increased by an amount to be determined by the Head of the Department, representing the average running allowances earned under normal conditions subject to a maximum of 75 per cent. of pay.

(2) Daily-rated staff, *vide* rule 733 of the State Railway Establishment Code; and

(3) Labourers employed in State Railway workshops or other branches of railway service, even when they are monthly rated, *vide* Note under rule 703 of the State Railway Establishment Code.

These three types of staff, between them, include about 75 per cent. of the total staff on railways. What is more, they have been held to include not only skilled labour, but highly skilled mistries who supervise their work. Even Works mistries sometimes highly educated—share the same fate. On the E. I. Railway however skilled workmen and Mistries on scales rising beyond Rs. 65 are treated as subordinates for the purpose of leave rules. In the G.I.P. Railway workshops Mistries are similarly treated by a special sanction of the Railway Board on the ground that they are employed solely in a supervising capacity. On the other hand, a case came to notice of an Electric Signal Maintainer on this Railway who, though in the scale of Rs.100-5-140 is restricted to the lower set of leave rules. Similar treatment is accorded to the Chief Signal Maintainer on the B. B. & C. I. Railway and to Planners and Progress-men on the M. & S. M. Railway though the last of these cases was admitted by the Administration to be a border line one. It is also interesting to note that the following staff though classed as subordinate on all other railways, rank as inferior for the purpose of leave rules on the M. & S.M. Railway simply because on that railway their scale of pay is comparatively low with a maximum not exceeding Rs. 30:—

(i) Trains clerks and junior clerks in the lowest grade including commercial clerks at stations, clerks in Indian Refreshment Rooms and cars and job-writers in sheds.

(ii) Dressers.

Thus these categories of staff suffer from a double disability on this Railway, a low scale of pay and as a result, also a lower scale of leave privileges although their status as subordinates was recognised for the purpose of the temporary increase in the initial rate of pay granted to the subordinate staff during the war.

CHAPTER XX.—PROPOSALS FOR LIBERALISATION OF LEAVE RULES AND HOLIDAY CONCESSIONS APPLICABLE TO DAILY-RATED AND INFERIOR SERVANTS.

377. **Three sets of rules now in force.**—Having described the existing leave rules and other holiday concessions applicable to railway servants who are daily-rated or in inferior service, I can now proceed to consider whether they need liberalising, and if so, to what extent. The position is greatly complicated by the existence of a variety of leave rules, but broadly speaking, there are three main sets, namely:—

(1) Fundamental rules applicable to State Railway employees who did not elect the new State Railway Leave Rules. It is important to remember, however, that these rules made no provision for daily-rated staff who, along with inferior staff in certain branches, were relegated to a very limited scale of leave or holidays.

(2) New State Railway leave rules promulgated in April 1930 or the ... leave rules modelled on them, introduced on ex-companies' railways in October 1931.

(3) Companies' rules applicable to the older employees of the ex-companies' railways who did not elect the said new rules. These again, as we have seen, differ from Railway to Railway.

378. **New Rules to be the basis for considering the improvements necessary.**—To consider the improvements necessary, the best course would be to focus our attention on the new State Railway Leave Rules or the rules modelled on them. For one thing, they cover the vast majority nearly 90 per cent.—of inferior and daily-rated staff, *vide* paragraph 373. With the advent of the new rules the old incumbents were happily given the option to elect them and as they were on the whole appreciably more favourable in their application to inferior and daily-rated staff the majority of them did exercise the said option. The small minority who are still governed by the old rules gets less and less numerous with the efflux of time by reason of retirements and other casualties and will, in due course, be completely extinguished. Secondly, the new rules may well be regarded as representing the measure of the leave privileges which the Government of India have so far considered reasonable for the inferior and daily-rated staff on the Railways. It will, therefore, be proper to take them as the basis for the consideration of possible improvements.

379. **Leave on full and half pay under the new rules to inferior and daily-rated staff.**—At the risk of repetition, I indicate below the leave privileges admissible under the New State Railway Leave Rules to inferior and daily-rated staff, incorporating the three successive improvements made in them in the years 1931, 1939 and 1945 respectively.

(1) *Leave on full pay*—

Length of total service	Leave admissible
Less than 1 year	Nil.
1 year and over but less than 10 years . .	10 days in any one calendar year.
1 years and over but less than 20 years .	15 days in any one calendar year.
20 years and over	20 days in any one calendar year.

Provided that when the leave due amounts to 30 days, the railway servant ceases to earn further leave.

(2) *Leave on medical certificate on half pay*—

(i) In the case of daily-rated running staff and monthly-rated Augwallas of the G.I.P. Railway.	Upto 30 days in any one calendar year.
(i) In the case of other inferior and daily-rated staff :—	
(a) Service 10 years and over but less than 20 years.	Upto 15 days in a calendar year and 60 days in all.
(b) Service 20 years and over . . .	Upto 30 days in any one calendar year and 120 days in total service.

NOTE.—Notes 1, 2 and 3 under paragraph 366 remain unaltered.

380. **Casual leave or holidays in** *lieu*.—In addition to the leave shown above, inferior staff get casual leave on full pay counting as duty for 15 days in the year on the B.A., E.I., B.B. & C.I., O.T. and N.W. Railways, 14 on the B. N. Railway, 10 or 14 on the S. I. Railway according to the length of their service being under or over 15 years and 10 on the M. S. M. Railway. On the G. I. P. Railway, however, casual leave is not allowed to inferior staff. Workshop employees get paid holidays ranging from 14 to 20 in the year on the various Railways, *vide* details furnished in paragraph 374 in the preceding chapter.

381. We shall for the present confine our attention to these ordinary kinds of leave, namely, leave on full pay, sick leave on half pay and casual leave or holidays in *lieu* thereof, reserving for subsequent consideration any minor changes which may be deemed necessary in the other kinds of leave admissible in special circumstances as detailed in paragraph 375 in the preceding chapter.

382. **Demands of A.I. Railwaymen's Federation and Unions.**—In its Statement of Demands received in August 1946, the All-India Railwaymen's Federation made the following demands in connection with leave rules:—

"The Federation submits that leave and holiday privileges accorded to daily-rated and inferior service staff should be same as recognised for ministerial staff and must be uniform throughout India. This requires that there should be no compulsory holidays without pay. The privileges should be on the following basis:—

(1) 20 days' Gazetted holidays as on B.A. Railway.

(2) Casual leave on the basis of normal earning for 15 days.

(3) Privilege leave on full pay for one month in a full year.

(4) Leave on half pay for one month in a full year.

(5) Consecutive holidays with pay from 6 to 12 days in every year for the sole purpose of 'making good the loss of physical and mental forces during the course of the year', *vide Holidays with pay recommendation.*

(6) A higher recuperative leave for Running staff and others performing arduous duties should be recognised.

(7) Leave for improvement of technical or other useful knowledge for increasing efficiency and prospects should be granted.

(8) Leave while suffering from tuberculosis or similar ailments should be on full pay without limit.

(9) Leave not availed of should be compensated."

Later in the course of the inquiry, the Federation clarified items (8) and (9) as meaning that sick leave should be given on full pay without limit when the illness was contracted in the performance of duty and that leave refused should be allowed to accumulate instead of being compensated for by cash payment.

383. The demands of the Federation have been more or less echoed by the majority of the Unions. The B.B. & C.I. Railway Employees' Association which is not affiliated to the Federation, however, differentiated between inferior and daily-rated staff on the one hand and subordinate staff on the other, and for the former staff asked for one month's privilege leave and 20 days' casual leave.

384. **Joint Reply of Railways.**—With regard to the principal demand of the Federation and the Unions for the introduction of a uniform set of leave rules for all staff on the improved basis suggested by them, the Joint Reply of the Railways observed as under:

"It can be said to be a universal practice to frame leave rules so that the amount of leave admissible to each category of staff is in relation to the nature of their employment. For instance, those shouldering greater responsibility and doing constant mental work, are allowed more leave than those who occupy posts of less responsibility and are subjected to less mental strain. Accordingly the amount of leave concession admissible to officers, subordinate and ministerial staff and the inferior and daily-rated staff, whose occupations are different, have been fixed at different scales. The Federation's proposal to abolish all differences in the leave

rules applicable to ministerial staff and the inferior and daily-rated staff strikes at the very root of the above-mentioned principle. The work done by these two classes of employees is so different that there can be no justification for adoption of the Federation's suggestion."

The Joint Reply went on to say that the New State Railway Leave Rules issued in 1930 conferred far more substantial benefits on the inferior and daily-rated staff than the old rules did and since then were further liberalised by three successive improvements made in them. With regard to casual leave or paid holidays in workshops the Reply stated that:

"the practice on different Railways with regard to the number of paid holidays given to daily-rated staff has been different—*vide* statement given as Appendix F on page II of the Joint Memorandum. Each Railway's practice is based on the local conditions and customs prevailing in the areas served by it, and there is no justification for making the number the same on all Railways.

"Casual leave to inferior staff is sanctioned by some Railways but the practice is not uniform on all the Railways. This is because casual leave is unrecorded leave the grant of which is not governed by any set of leave rules and is based on the practice followed by each particular Railway."

385. **Summing up by Mr. Hasan.**—Mr. Hasan in the course of his summing up characterised the demands of the Federation as without any parallel and expressed surprise that the Federation asked for a reduction in the number of working hours quoting the practice obtaining in foreign countries in support of this demand while it made no mention of the practice in those countries in connection with its demand for an improvement in leave and holidays privileges. He cited among others, (1) the written statement put in by Mr. Kale, Secretary of the G.I.P. Railwaymen's Union, which only complained that the present rules were very complicated and made no recommendation for liberalisation nor for the abolition of the distinction between leave rules applicable to the inferior and subordinate staff, (2) the evidence of Mr. Mathur, Sub-head, Accounts office on the N.W. Railway, who deposed that the staff were better off under the New State Railway Leave Rules than they were under the old, and (3) the evidence of Mr. S. D. Chatterji, Clerk, O.T. Railway, who said that generally the inferior staff were local people. With regard to sick leave particularly, Mr. Hasan suggested that there was no method of preventing abuse otherwise than by the development of one's own sense of responsibility and discipline. He quoted from the evidence of several witnesses to show that the staff frequently resorted to sick reports to cover their absence or over-stayal of leave. One of these witnesses, a gangmate of the M. & S. M. Railway, had frankly admitted that "when we are not sick, we have to pay to get a certificate". He referred to the evidence of a witness on the N.W. Railway who when recalled to duty while on leave sent in a medical certificate although on the date on which he was recalled he was found to have addressed a big meeting. Comparing small things with great the witness referred to the fact that even Sjt. Subhas Chandra Bose had addressed the Indian National Congress from a sick bed.

386. With regard to the point that inferior and daily-rated staff frequently had to go on leave without pay, Mr. Hasan quoted from the evidence of Mr. K. Muthuswami (witness 3 of M. & S.M. Railway) and said that they took such leave either during the harvesting season or during the festivals. Mr. Hasan thought that the point that inferior staff often took leave without pay to attend to their fields was indirectly admitted by the Federation by its demand for a higher leave reserve during the harvesting season.

387. **Summing up by Mr. Guruswamy.**—Mr. Guruswamy, in his reply towards the end of the enquiry, commenting on Mr. Hasan's suggestion that in other countries leave privileges were not as liberal as in this country remarked that in India the staff who were specially skilled were not recruited locally but from different provinces and therefore lost much time in travelling when they took leave.. On this ground he defended more liberal leave rules in this country than in foreign countries. Supporting the demand for a uniform set of leave rules Mr. Guruswamy observed that leave was required for private affairs and on medical grounds and such considerations were independent of the classification or status of the staff or the method of fixing their emoluments. In this connection he referred to the memorandum submitted by the N. W. Railway to the Pay Commission recommending a uniform set of rules. He also pleaded for the right to accumulate leave, but when it was suggested to him that there should be some limit to this right in order to ensure that the staff took leave at reasonable intervals, he observed that the staff should be compelled to take leave for recouping purposes.

388. **Replies of Administrations to the Pay Commission's questionnaire regarding leave.**—It is interesting to note that while in their Joint Reply to the Federation's demand, the Railways opposed the demand for a uniform set of leave rules for all staff, the N. W., S. I., B. A., and O. T. Railways in their replies to the Pay Commission's questionnaire, recommended uniformity of leave rules. The B. A. Railway further recommended 25 days' additional leave with pay in a year on a non-cumulative basis for staff employed in a continuous process, *e.g.*, running staff, station duty staff, etc. The N. W. Railway, while recommending uniformity, suggested that leave privileges should be based on a sliding scale of service. Certain other railways, namely, G. I. P., B., B. & C. I., B. N. and E. I., did not favour uniformity of rules. The G. I. P. and B., B. & C. I. Railways observed that the conditions of service including leave "must vary in accordance with the nature of work, its responsibility and the talents and capacity which an individual can offer to Government. While therefore, it is inevitable that leave rules for superior railway servants should be different from those for inferior railway servants, uniformity should be introduced as far as possible for all those having a comparable standard of remuneration." The E. I. Railway observed that the New leave rules provided for the same leave for all classes of employees of comparable status, duties and responsibilities, but recommended that the workshop staff in scales rising over Rs. 30 (present scales) be treated as subordinates and be given leave as for subordinate staff, this pay limit being suitably raised when the scales of pay were revised.

389. With regard to the question of liberalising the existing leave rules, the replies of Railways to the Questionnaire of the Pay Commission reveal a consensus of opinion in favour of effecting some improvements. Practically all railways recommend that leave salary should be based upon average pay drawn during the last twelve months instead of substantive pay since railway servants with a large amount of officiating service at their credit were often reluctant to proceed on leave for fear of a substantial drop in their emoluments. The N. W. Railway suggests that while the Fundamental Rules are quite liberal in respect of the scale of leave, the no extra cost condition imposed in the case of inferior staff under those rules should be abrogated. It considers the New State Railway Leave Rules to be inadequate and suggests the grant of leave not due to inferior staff upto a maximum limit of six months as well as of leave on full pay upto 4 months on medical certificate in advance of being earned. The B. A. Railway recommends for all staff on pay upto Rs. 700 per month, one month's leave on full pay (non-cumulative except on medical certificate) and 15 days on half pay per year of service with the right to commute a portion of the latter into leave on full pay on medical certificate. Similarly the O. T. Railway suggests for all staff one month's leave on full pay in a year, cumulative upto 3 months and sick

leave on full pay upto 12 months in the service. The M. & S. M. Railway also suggests a liberalisation of the rules regarding leave salary in the case of leave on medical certificate. The E. I. Railway recommends that sick leave should be given to inferior and daily-rated staff after five instead of ten years' service. The B., B. & C. I. Railway considers that the new leave rules as later liberalised in some directions, afford sufficient recuperation to the staff. The G. I. P. Railway does not concur in this view and recommends a liberalisation of the new rules though not to the extent of the leave provided in Fundamental Rules.

390. **Revised Leave Rules, 1933, for other Government Departments.**—Before considering any improvements in the New Rules applicable to inferior and daily-rated staff on the Railways, it would be useful to compare the leave privileges admissible to the subordinate and inferior staff in the Railway and in the other Government Departments under the new rules. In the wake of the rules framed for the Railway Department, the Government of India issued the Revised Leave Rules, 1933, for employees appointed on or after 16th July 1931 in civil departments and offices other than railway establishments. These rules allow leave on full pay at a prescribed fraction of duty, namely one-eleventh in the case of subordinates and one-twenty second in the case of inferior staff. Leave on medical certificate on half pay is allowed both to the subordinate and inferior staff upto 12 months in all extensible to 18 in exceptional cases. In addition the subordinate but not the inferior staff are eligible for leave on half pay on urgent private affairs upto 12 months in all and on any one occasion, not more than 3 months.

391. **New State Railway Leave Rules and Revised Leave Rules, 1933, compared.**—The following tabular statement compares the salient features of the new leave rules applicable to the subordinate and inferior staff in the Railways and in other Government (civil) department:-

(Section A)—Subordinate staff of Asiatic domicile

1. *Leave on full pay—*

(a) Rate at which earned.	1/15th service *i.e.*, 24 days per year of service.	1/11th of duty, *i.e.*, about 29 days per year of service.
(b) Limit upto which it may accumulate.	No limit	3 months.
(c) Maximum leave at any one time.	Fo2 mnths (4 if on m.. or after 20 years' service).	3 months.
(d) Total leave in service of 30 years.	2 years	About 2 years and 5 months assuming that 15 months leave on half pay including sick leave is taken.

2. *Leave on half pay—*

(a) Rate at which earned.	1/30th of service, *i.e.*, 12 days per year of service	12 months in all and on any one occasion not more than 3 months.
(b) Total leave in service of 30 years.	1 year.	

3. *Leave on medical certificate on half pay—*

No special provision but on m.c. (or on urgent private affairs) leave on half pay may be granted in advance of being earned upto 6 months in all.	Upto 12 months in all extensible to 18 in exceptional cases.

(Section B)—Inferior staff

1. *Leave on full pay—*

	Railway Deptt.	Other Govt. Dept.
(a) Rate at which earned—		
Service 1 year and over but less than 10 years.	10 days in a year.	1/22 of duty *i.e.*, about 14·5 days per year of service.
Service 10 years and over but less than 20 years.	15 days in a year.	
Service 20 years and over	20 days in a year.	
(b) Limit upto which it may accumulate.	30 days . . .	30 days.
(c) Maximum leave at any one time.	30 days . . .	30 days.
(d) Total leave on full pay in 30 years service	1 year & 2½ months .	1 year 3 months assuming that leave on half pay is taken upto 15 months in all.

2. *Leave on medical certificate on half pay—*

Service 10 years and over but less than 20 years.	15 days in a year subject to a total of 60 days.	Up 12 months in all extenle to 18 in exceptional cases.
Service 20 years and over	30 days in a year subject to a limit of 120 days in total service.	

392. **Rules for daily-rated staff in the Railway Department and other Central undertakings compared.**—Turning now to the daily-rated staff, the new leave rules in the Railway Department are, as we have seen, identical with those applicable to inferior staff, save that daily-rated running staff are eligible for leave on medical certificate on half pay at a concession rate of 30 days in a year. The Revised Leave Rules, 1933, make no provision for the grant of leave to daily-rated staff in the other Government Departments. Leave to such staff is however allowed in certain departments and establishments under the Central Government by executive orders of comparatively recent origin. Thus in Ordnance Depots and Factories, Air Force, H. M. I. Dockyard, Bombay, in the Defence Service or in the M. G. O. Services, where it would appear that a fairly considerable number of daily-rated staff is employed, leave on full pay and leave on half pay are allowed more or less on the scale in force in the Railway Department, the only difference being that leave on full pay is allowed at 7 days a year during the earlier years of service as against 10 days in the Railway Department and leave on medical certificate is allowed after one year's service instead of after 10 years' service. In other Central undertakings, the leave privileges of daily-rated staff are on a very restricted scale.

393. **Liberalisation necessary.**—With this material before us, we are now in a position to discuss whether the existing leave rules and other holiday concessions applicable to inferior and daily-rated staff need liberalising. On behalf of the Railways, it has been pointed out that the New Leave Rules offer on the whole a considerable advance on the old rules in their application to inferior and daily-rated staff, and viewed as a whole this contention may be accepted. It does not, however, establish the adequacy of the existing leave rules. A reference has already been made in paragraphs 388 and 389 to the recommendations

for improvements made by Railway Administrations in their reply to the questionnaire issued by the Pay Commission. In reply to our questionnaire all Railways except the E. I. and O. T. Railways have reported that inferior and daily-rated staff have often to fall back upon leave without pay and although this may be partially due to the tendency to absenteism among the lower paid staff, it is common ground that the staff require more leave than the existing rules allow to attend to their domestic and social obligations and have to resort to leave without pay, particularly during the harvesting, marriage or pilgrimage seasons or in connection with repairs to houses or to attend to sick relatives. Mr. Hasan in the course of his summing up suggested that if the Federation asked for an improvement in the hours of work and periods of rest of railway servants on the analogy of the practice prevalent in the Western countries, it did not lie with it to ask for an improvement in leave rules, seeing that the leave privileges in foreign countries were on a very restricted scale. I feel, however, that the two questions should not be mixed up and should be dealt with, each on its own merits. The recommendations regarding the hours of work and periods of rest made in the earlier chapters have been influenced mainly by considerations of health and the essential domestic and social obligations of the staff in their day-to-day life and not entirely on the analogy of the Western countries. With regard to leave, however, the customs and usages in our country are different, and as already stated, there is evidence to show that inferior and daily-rated staff are at present constrained to absent themselves or to resort to leave without pay for what they regard as essential obligations. I am, however, inclined to agree with Mr. Hasan's suggestion that the staff should not expect leave with pay to attend to their fields. This may be regarded as a supplementary occupation and the staff should, therefore, be content with leave without pay for the purpose if they have exhausted their quota of leave with pay. One would also like to see in the general interest that the workers did not waste much of their time on religious ceremonies and other non-essential affairs. But this is a consummation which will require years of education to achieve. For the next decade or two it is necessary therefore, having regard to the existing pay structure and even allowing for improvements in pay as a result of the recommendations of the Pay Commission, to provide reasonable leave privileges for daily-rated and inferior staff including a certain amount of leave on full pay in the event of sickness and on half pay to attend to what may be regarded as their essential obligations. In spite of the improvements made in their leave privileges in and after 1930, and although these improvements may be regarded as fairly substantial, there is a common feeling among the representatives of workmen that their legitimate interests have so far not received equal attention with those of the higher paid staff and the time has now arrived for us to recognise that, other things being equal, the lower paid staff reserve equal consideration.

394. **Absolute uniformity of Rules not justified.**—With all this if I am unable to support the Federation's demand for an uniform set of leave rules for the lower and higher grades, it is not because of any difference in pay or status but because of the following definite reasons:—

(1) The field of recruitment of subordinate staff is wider than that of inferior staff. Obviously the higher or the more special the qualifications required, the wider must be the field of recruitment. From the replies to our questionnaire and the trend of evidence collected, it is established that as a rule inferior and daily-rated staff is recruited locally. Most of them in fact are local residents and in any case, the recruitment is generally made at the work spot, either from the local residents or from among the relatives of existing employees and others who are employed in the locality. No advertisement is normally issued to fill vacancies among such staff and at the most a notice is displayed outside the work spot. It is true that in some parts of the country due to reasons of a local

character such as unhealthiness, requirements of industrial areas, etc., it is necessary to recruit several categories of inferior and daily-rated staff from distant parts: this applies more or less to the whole of the B. A. Railway, Bombay, Ahmedabad and Calcutta areas and to the Karachi and Quetta divisions on the N. W. Railway. Moreover a few special categories of staff on certain Railways, *e.g.*, watchmen, relaying gangs and carpenters are often recruited from outside. These must, however, be regarded as exceptions, the general rule being to recruit such staff locally, as far as possible. With regard to the subordinate establishment, on the other hand, advertisements are issued in several important papers in and outside the Province in order to achieve a reasonably high standard of recruitment. And as we ascend still higher, *i.e.*, to gazetted officers or a specialised posts, the recruitment has to be made from a still wider area. Again inferior and daily-rated staff are not liable to transfer nearly so frequently as the subordinate and higher staff, so that speaking in a comparative sense they are employed nearer their homes. In dealing with Mr. Hasan's contention that the leave privileges in India are already more liberal than those obtaining in Western countries, Mr. Guruswamy himself made the point that the staff in this country are drawn from a relatively wider area as compared with other countries and have to waste 5 or 6 days in travelling to their homes during leave. This argument itself would, therefore, justify some distinction in the scales of leave applicable to ministerial or other subordinate staff on the one hand and inferior and daily-rated staff on the other, since the former are, taking things as a whole, recruited from comparatively distant areas and employed at stations remote from their homes.

(2) Secondly, I think it is generally accepted that a manual worker requires less time for recuperation than a mental worker. The latter must needs have an occasional change of environment to return fresh to his work, whereas in the case of the former a night's rest should often cure his physical fatigue. Manual labour almost ends with itself leaving little trace behind but the after-effects of mental work persist. In the case of mental workers there is greater need of complete change of surroundings and of having leave of longer duration than in the case of manual workers. It follows, therefore, that the subordinate and other higher paid staff who are mostly employed in work which involves mental effort require a somewhat larger amount of leave for change and recuperation than inferior and daily-rated staff, who, again speaking on the whole, are employed essentially on manual labour.

(3) Thirdly from the Administrations' point of view better terms including somewhat better leave privileges might be necessary for the subordinate and other higher paid staff in whose case experience and continuity of service count more than in the case of the generality of inferior and daily-rated staff.

395. **Skilled labour in workshops and sheds.**—In the course of our inquiry, however, it came to light that these three agruments which on the whole justify some distinction in the leave privileges of the subordinate staff on the one hand and inferior and daily-rated staff on the other, did not apply with full force in the case of skilled workmen. On several railways a considerable proportion of such workmen is recruited through the channel of Trade Apprentices who are given both theoretical and practical training for periods ranging upto 5 years before their appointment as skilled workmen. Advertisements are issued for the recruitment of Trade Apprentices either in the railway gazettes or in outside papers and as we have seen, certain skilled workmen such as carpenters are often recruited from distant areas. The work of a skilled labourer involves a fair degree of mental effort, particularly in the higher grades where knowledge of mathematics and drawing is helpful. In their case, it is also in the interests of the Administrations to ensure continuity of service. On the whole, therefore,

I would be prepared, in principle, to concede the demand of the Federation to the extent of placing all skilled workmen on a par with the subordinate staff in the matter of leave privileges.

396. **Inferior staff in other Railway Departments.**—The line which separates skilled workmen from semi-skilled and unskilled workmen in the railway workshops and sheds is well-marked. The semi-skilled employee practically picks up his work while employed in the unskilled grade although he has to undergo an elementary trade test before promotion and is drawn from the same source. The skilled workman, on the other hand, on certain Railways at least, starts as a Trade Apprentice, although on some railways, *e.g.* S. I. Railway, he is recruited as a rule by promotion from the semi-skilled grades. In other railway departments, however, it would be difficult to draw a similar distinction. In such departments, there is as a rule no daily-rated staff and inferior staff in higher grades are almost invariably appointed by promotion from the lower ranks. Thus in the Traffic Department recruitment is generally made as watermen, sweepers or porters and sometimes as probationary pointsmen and then these categories rise to higher grades, such as shunting porters, shunting jamadars, cabinmen, etc., as they pick up the duties of the posts concerned and vacancies occur. There can be no doubt, however, that the higher the post, the greater the responsibility and vigilance required. On the whole, therefore, it would be more practicable to prescribe a pay limit for the purpose of differentiating between the leave rules applicable to those who on the considerations mentioned above may be said to merit a somewhat better scale of leave privileges than others.

397. **Conference with the Pay Commission.**—As the terms of reference of the Pay Commission also included leave rules, I took the opportunity of discussing this subject with the Commission at Delhi in March last. The main points discussed and the conclusions reached are summed up below:—

(1) *Co-ordination of leave rules for all Government Departments.*—The first question which confronted us was the demand of Railway services for parity with other Civil services in the matter of leave rules. As we have seen, all Government servants were subject to the Fundamental Leave Rules prior to 1930. In that year, the Railway Department carved out for itself a separate set of rules, called the New State Railway Leave Rules, and three years later, the Government of India issued the Revised Leave Rules, 1933, for other Civil Departments. As a glance at the statement contained in paragraph 391 would show, the Railway rules are less liberal than the Revised Leave Rules, 1933. Whatever may have been the justification for the issue of special rules for the Railway Department in 1930, it would now be difficult to resist the demand of the Railway services for uniform leave rules for all Government Departments, having regard to the present policy for the standardisation of pay and other service conditions in the various departments. Moreover, this demand had the support of the General Managers of Railways. It was accordingly agreed that a common set of leave rules should be evolved which would embody the desirable features of both the Railway rules and the Revised Leave Rules, 1933.

(2) *Demand for uniform leave rules for all grades of staff.*—I have already dealt with this demand as put forward by the All-India Railwaymen's Federation. The Commission was also faced with a similar demand from labour organisations, and the General Managers of Railways who gave oral evidence before the Commission were also inclined—though after some argument—to accept this demand. We appreciated the trength of feeling behind this demand which aimed at the elimination of all vestiges of discrimination against the lower paid staff, but while we agreed in principle that there should be no differentiation merely on the score of status, we could not shut our eyes to the fact that the lower paid staff were, as a rule, recruited from neighbouring areas and were mostly

engaged in manual work so that their essential leave requirements were not exactly on a par with those of men recruited from distant areas and employed in mental work which requires a longer holiday for recuperation. We decided, however, that the gap should be narrowed down and further that there should be no difference in the case of men who had completed 20 years' service. It was also decided that the differentiation should be expressed not in terms of status, *e.g.*, for superior, subordinate or inferior staff, but in terms of the class of service in which the staff were placed. The Pay Commission in their recommendations regarding pay have divided Government servants into four classes, namely I, II, III and IV; the first two apply to gazetted officers and Class III generally to those known as subordinate staff, while Class IV will include staff whose maximum pay under the scales proposed by the Commission does not exceed Rs. 60 unless they are by special order included in Class III. Skilled artisans will rank with subordinate staff on the principle that technical training should carry the same value as literary education. The leave rules as recommended by the Commission are in two sets, *viz.*, those for Class I, II and III Services and those for Class IV Services which will include the vast majority of what were known as inferior railway servants.

(3) *Leave Rules for Classes I, II and III Services.*—This point more directly affected the Pay Commission, but I was also partly concerned as a small proportion of railway servants so far classed as "inferior" would be placed in Class III and in any case it is necessary to maintain a reasonable balance between the rules applicable to the subordinate and inferior railway staff. The decision in favour of a co-ordinated set of rules for all Government Departments would naturally involve a measure of levelling up and it was decided to assimilate the Railway Rules to the Revised Leave Rules, 1933, subject to the following changes in the latter:—

(i) *Earned leave on full pay.*—The existing rate of one eleventh of duty will be retained, but the limit up to which it can accumulate will be increased from 3 to 4 months.. A higher limit than this was not favoured as it might discourage the staff from taking leave at fairly regular intervals.

(ii) *Leave on half pay.*—Under the Revised Leave Rules, 1933, this is admissible up to 12 months in all on urgent private affairs and a further 12 months extensible upto 18 months, in exceptional cases on medical certificate. Neither these rules nor the New State Railway Rules make special provision for leave on full pay on medical certificate. It was felt that earned leave on full pay which corresponds to privilege leave was meant essentially for recuperation and not to cover the special contingency of sickness for which there should in equity be a separate provision for a reasonable period of full pay leave, as a reduction in a person's emoluments when he falls sick operated as a serious hardship. On the other hand it was considered that the total amount of leave on half pay admissible under the Revised Leave Rules, 1933, erred on the side of liberality and was indeed in excess of normal requirements: moreover it was felt that this leave, as well as earned leave on full pay, should depend upon, and therefore be earned in terms of, service. Having regard to these considerations, it was decided to recommend that leave on half pay should be allowed at one-sixteenth of duty to members of Class I, Class II and Class III Services with a right to commute leave so earned into full pay leave on medical certificate for half of that period, subject to such commuted leave not exceeding six months in all. Further in order to provide for the case of an employee requiring sick leave at an early stage in service before he has earned a sufficient amount

of leave on half pay, it was decided to allow the grant of leave not due on half pay on medical certificate, upto a total of six months in the service such leave being debited to leave subsequently earned.

(4) *Leave Rules for Class IV Services.*—With regard to leave on full pay for members of Class IV services we decided to retain the principle of graduated scale according to the length of service, as allowed in the New State Railway Leave Rules. Some improvement in the existing rules was however considered necessary and it was decided to recommend that members of Class IV services should earn full pay leave at the rate of one-twenty-second of duty during the first 10 years of their service, one-sixteenth of duty from the 11th to 20th year of service, and one-eleventh of duty thereafter. These rates will yield about 15, 20 and 30 days respectively in each year of service, since 'service' for this purpose will continue to include both duty and leave on full or half pay. With regard to the right to accumulate such leave, it was decided on the analogy of the proposal for Classes I, II and III that members of Class IV services should also be permitted to accumulate leave on full pay over a period of four years. As regards leave on half pay the only difference in our proposals between Class IV and higher Classes will be that members of Class IV services will earn this leave at the rate of one-twenty-second of duty (that is, about 15 days in a year of service) during the first 20 years of service and at one-sixteenth of duty (that is, about 20 days in a year of service) thereafter, as against the uniform rate of one-sixteenth of duty recommended for the higher services. The right to commute leave on medical certificate on full pay and to leave not due on half pay on medical certificate will be the same as in the case of the higher services.

398. **Recommendations for Class IV Services.**—Based on these conclusions and allowing for a slight rounding off, the leave privileges which I now recommend for railway servants in Class IV are as under:—

(i) *Leave on full pay—*

Length of Service	Leave earned per year of Service	Limit of accumulation
Up to 10 years	15 days	2 months
Over 10 but not over 20 years	22 „	3 „
Over 20 years	30 „	4 „

(ii) *Leave on half pay—*

Length of Service	Leave earned per year of Service
Up to 20 years	15 days
Over 20 years	20 days

(iii) *Commuted leave on medical certificate on full pay—*

An employee shall have the right to commute a period of leave on half pay earned under (ii) above, into leave on full pay on medical certificate for half of that period subject to such commuted leave not exceeding 6 months in total service.

(iv) *Leave not due on half pay on medical certificate.*—Up to six months in all in the service, such leave being debited to leave subsequently earned. It shall be open to Administrations to direct that this concession shall be available in suitable instalments as a safeguard against an employee using up the whole of

the six months early in service and then absconding or resigning: in fact such a direction may in normal cases work to the advantage of the employees as their pay would be likely to increase with service.

These proposals will go a long way to meet the demands of the All-India Railwaymen's Federation as summed up in paragraph 382 and in view of the improvements suggested, no further provision on the lines of items (5), (6) and (8) thereof is considered necessary. With regard to the demand for study leave, *vide* item (7) of the said paragraph, all that can be recommended under existing conditions is that Administrations should endeavour to provide facilities for the training of the staff in lower grades to enable them to qualify for further advancement. Time spent in training courses arranged by the Administrations is and will continue to be treated as duty.

399. **Daily rated staff.**—The question of daily rated staff was also discussed with the Commission. Such staff is ordinarily employed in railway workshops and partly also in railway sheds and may be said to correspond to industrial as distinct from non-industrial sections of the service, as these terms are used by the Pay Commission. The Commission was of the view that in framing the rules for the industrial staff care should be taken to avoid serious repercussions on private industrial establishments. It was, however, pointed out to them that with the issue of the New State Railway Leave Rules, 1930, no distinction was now made between such daily-rated and other inferior staff in so far as leave privileges were concerned, and that it would be unfair and dangerous to revive any discrimination to the detriment of workshop employees. Railway Administrations too are naturally averse to any distinction being made between industrial and other establishments on railways. The Commission has, therefore, agreed that no departure from the present practice in this respect need be made. Accordingly my recommendation is that the daily rated staff on railways should be eligible for leave, like all other staff, according to the class in which they would fall. The majority will thus get leave on the scale applicable to Class IV, but skilled artisans and mistries will come under the rules applicable to Class III.

400. **Calculation of leave salary.**—Another point discussed with the Pay Commission was the calculation of leave salary. Under the New State Railway Leave Rules, leave salary is based on substantive pay with the result that in certain cases employees, acting for long periods on an appreciably higher rate of pay, are dissuaded from taking leave for fear of a serious drop in their emoluments. A local investigation at Delhi, for instance, showed that in several cases clerks officiating in higher grades lost to the tune of Rs. 10 to Rs. 20 per mensem and Guards officiating as Controllers and Loco Shunters as Drivers Rs. 50 to Rs. 100 or even more per mensem as a result of the restriction of leave salary to substantive pay. Having regard to this, Railway Administrations in their reply to the Pay Commission's questionnaire recommended reversion to the provision in the Fundamental Rules under which leave salary was ordinarily based on actual pay, whether substantive or officiating, drawn during the 12 complete months preceding the commencement of the leave. It was, however, found that this rule was open to abuse in that an employee about to revert from an officiating post was tempted to apply for long leave. It was probably as a safeguard against this abuse that the Revised Leave Rules, 1933, provided for the calculation of leave salary on the basis of pay drawn during the preceding three years or substantive pay during the preceding 12 months whichever is more. This rule, on the other hand, was regarded as much too elaborate, particularly for the Railway Department. I am informed that the Commission, having balanced all considerations, have now recommended that for the first 30 days of leave taken at a time the benefit of 12 months average pay should be allowed and thereafter leave salary should be limited to substantive pay. While the principle underlying this recommendation has something to commend it, I am constrained to point out that it will not provide an effective

safeguard against the abuse to which the Fundamental Leave Rules were liable, since it would be possible for a man after officiating for some time in a much higher post to apply for a long period of leave broken by a short interval and then to take advantage of twelve months' average pay for the whole of such leave. To say that it will be open to the Administration to refuse such leave is hardly to the point as even under the Fundamental Rules leave could technically be refused and yet the concession was in actual practice found liable to abuse; moreover the right of the Administration to refuse leave should normally operate only when an employee cannot be spared without detriment to the service or injustice to his fellow-employees.

401. Even if the recommendation of the Pay Commission is adopted as offering on the whole an equitable solution, its chief justification will be to avoid a serious drop in emoluments. My impression, however, is—and this view is reinforced by remarks since obtained from Railway Administrations—that this argument does not hold the field in the case of inferior and daily rated staff with whose leave rules I am directly concerned. In their case the occasional gain accruing from the calculation of leave salary on the basis of average pay would be small both in amount and in the proportion of men who would benefit and therefore wholly incommensurate with the labour involved. Moreover such staff often take leave in driblets and the pay sheets of 12 months would have to be consulted for a matter of a few days' leave. Again, on some Railways an office copy of such pay-sheets is not maintained for certain classes of labour and the change would entail their preparation in duplicate. There is no other authentic record available with the bill preparing authority and the preparation of bills having been decentralised on certain Railways, the bill preparing authorities cannot obtain ready access to the original pay-sheets which would be either in the Accounts or the Pay Department. A reference to such pay sheets would, therefore, inevitably involve an inordinate delay in the payment of wages with some hardship to the employee concerned and the certain danger of an infringement of the Payment of Wages Act. On the whole, therefore, I suggest that the Railway Board should have discretionary power to retain the existing rule in this respect for staff in whose case they are satisfied that it would not be worthwhile to alter it.

402. **Temporary employees.**—The case of temporary employees was also discussed with the Commission. Under the New State Railway Rules such employees are ordinarily eligible for only 10 days' leave on full pay in a year of service, cumulative up to 20 days in all, but on completion of five years' service they are eligible with retrospective effect, to earn leave as if they were permanent employees. Here also it will be desirable to have uniform rules applicable to all Government Departments and I support the recommendation of the Pay Commission that in the case of temporary employees engaged for definite short terms, leave should be allowed only as stipulated in the terms of employment. Where, however, persons are appointed on a temporary footing for a long or indefinite period, they should after completion of one year's service begin to earn leave on full and half pay on the same terms as permanent employees with a like right to commute their half pay leave into full pay leave on medical certificate. The concession of leave not due on medical certificate on half pay is not recommended for temporary employees as the idea is to treat such leave as taken in advance and count it against leave subsequently earned.

403. **Improper medical certificates.**—Apropos the question of commuted leave on full pay on medical certificate, the danger has to be guarded against of improper medical certificates. This point also came up in the course of the discussion with the Pay Commission. The remedy, however, is not to withhold what is otherwise regarded as a legitimate concession but to tighten up the existing rules for the production of medical certificates and even to require an employee's appearance before a medical board, irrespective of his grade, should such course be necessary.

404. **Paid Holidays and Casual leave.**—Finally the question of casual leave and holidays was also discussed with the Pay Commission. With regard to holidays although the Commission have not made any attempt to regulate the number for the various departments, I find that they have suggested that if holidays are forgone in the interests of the service, the employees concerned should get compensatory leave in *lieu*, in addition to regular leave. I am however unable to subscribe to this principle for a holiday is given essentially not for rest which is normally covered by leave and periodic rest under the Hours of Employment Regulations, but in consideration of observances and sentiments associated with certain specific days. As pointed out by Mr. Hasan in the course of the enquiry, compensatory leave in *lieu* of a holiday forgone will not serve this purpose and in a public utility service like the Railways it is necessary for all concerned to appreciate that the grant of holidays can only be subject to the exigencies of the service and without claim to compensation if they are not granted. For the same reasons I cannot agree with the suggestion of the Pay Commission that holidays falling within a spell of casual leave should not be debited against the casual leave admissible. I should have wished to obtain complete data with regard to casual leave and holidays admissible in the various departments of the Government of India, as this has a bearing on leave privileges, which are now being more or less standardised for all departments of the Government of India. The only information which I have been able to get, however, is that under certain orders of the Government of India in the Home Department issued in 1943 and 1944 the maximum amount of casual leave admissible is 20 and 15 days in the case of staff stationed at Delhi and Simla respectively, subject in either case to a limit of 10 days at a time. As far as the Pay Commission was aware, this order was followed by all departments of the Government of India located in Delhi and Simla except the Posts and Telegraphs Department where the general rule is to limit casual leave to a maximum of 12 days in a year save for certain staff for whom the limit is 20 days in a year in consideration of the fact that they enjoy a lesser number of gazetted holidays and have to perform some work on Sundays and postal and telegraph holidays. In pursuance of the plan for the co-ordination of leave rules for all departments under the Government of India, it may be desirable if possible, to standardise the amount of casual leave also which in practice represents a substantial leave privilege. For the present in the case of railway servants, who fall under my terms of reference, I recommend that casual leave up to 15 days or in the case of workshop employees at least the same number of paid holidays in *lieu* should continue to be allowed. The grant of casual leave may normally be subject to a limit of ten days at one time but Administrations should have the discretionary power to waive this limit where in the interests of the service it becomes necessary to make recruitment from distant parts. With reference to the table furnished in paragraph 374 of Chapter XIX it will therefore be necessary to make an improvement in the casual leave or paid holidays in *lieu* admissible to inferior and daily rated staff on the following Railways as shown below:—

Railway	Casual leave		Holidays in *lieu* to workshop staff etc.	
	Present	Proposed	Present	Proposed
1	2	3	4	5
B. N.	14	15	14	15
G. I. P.	Nil	15	No change.	

1	2	3	4	5
M. & S. M.	10 (permanent staff)	15	14	15
O. T.	15	15	14	15
S. I.	10 or 14	15	14	15
B. A.	15 (10 in first year of service).	15	No change.	

As already stated, *vide* Note (3) in paragraph 374 of Chapter XIX, certain classes of railway servants who are eligible for casual leave are also granted holidays according to the exigencies of service. This principle should continue. Certain Railway Administrations have suggested that the existing number of holidays is excessive and should be curtailed with the introduction of improved leave rules, but so long as holidays, other than those enjoyed by workshop staff in *lieu* of casual leave, cannot be claimed as a matter of right, their number becomes a matter of subsidiary importance which can well be left to the Head of the Department or office to deal with.

405. **Unpaid holidays in workshops.**—In its Statement of Demands, the Federation has objected to the imposition of compulsory holidays without pay on workshop staff. In addition to the paid holidays shown in paragraph 374 of Chapter XIX the workshop employees are given a certain number of unpaid holidays as shown below:—

Railway	Workshop	No. of unpaid holidays
B. A.	Mechanical Workshops	21
E. I.	Jamalpur shops	28
	Lillooah shops	9
	Lucknow (Loco & Carriage and Wagon) shops .	25
	Signal Workshops, Howrah	4
G. I. P.	Parel shops	2
	Matunga shops	2
	Jhansi shops	2
N. W.	Moghalpura shops	6

Railway	Workshop	No. of unpaid holidays
B. N. . . .	Mechanical Workshops	10
B. B. & C. I. . .	Metre Gauge system	8
M. & S. M. . . .	Perambur	9
	Hubli	12

In the course of the inquiry, Mr. Hasan was asked how the existing practice in this respect could be justified. He replied that as a general rule workshops were closed on the days desired by the staff or their representatives on Staff Committees. If therefore, a considerable proportion of the staff want more than the number of paid holidays admissible it would not be possible to keep the workshops open with a limited number of workmen and according to Mr. Hasan, the staff were themselves responsible directly or indirectly for the unpaid holidays. Mr. Guruswamy disputed the facts but not the argument which, if true, has to be accepted. I suggest, however, that Railway Administrations should consult the workmen and their representatives from time to time, with a view to reducing the unpaid holidays to the smallest possible number both in the public interest and in the interests of the workmen.

406. **Inferior servants in railway schools.**—A limited number of inferior servants are employed in railway schools in whose case leave on full pay is granted on a reduced scale as laid down in Rule 716 of the State Railway Establishment Code. The principle underlying this rule will continue to apply though the rule will now require a slight amendment in the light of the improvement suggested in the scale of leave on full pay.

407. **Special kinds of leave.**—Now I pass on to the special kinds of leave admissible to inferior and daily-rated staff in common with the subordinate staff, *vide* paragraph 375 of Chapter XIX. All that is necessary with regard to these is to standardise the practice on all Railways and to bring it into conformity with the State Railway Leave Rules or the orders issued by the Railway Board from time to time, making the necessary improvements on Railways where the full benefit of those rules or orders is not allowed. This should apply to all men whether under the old or under the new leave rules. With regard to hospital leave, for instance, though the leave salary is reduced by the amount of compensation payable under the Workmen's Compensation Act during the period of temporary disablement in order to ensure that during such period an employee does not get more than while he is on duty, it should be restored to the full amount admissible when the disablement proves permanent and compensation becomes payable for it, since from such compensation, the compensation already paid during the temporary disablement is deducted under the Act. This is already provided for in Rule 743 R and its benefit should be extended to the M. & S. M. Railway and other Railways where the concession is not allowed. Similarly maternity leave should be given under Supplementary Rule 267 on all Railways.

408. **Fresh option to men under old Leave Rules.**—Finally it remains to consider whether any recommendation is necessary in respect of the ordinary leave privileges admissible to inferior and daily-rated staff subject to the old leave rules. The majority of the old incumbents have already elected the new leave rules, finding the scale of leave or other conditions more favourable. This option was to be exercised on or before the dates specified for the purpose on different Railways. And if any of them definitely chose to remain under the old leave rules they could not in equity at the same time claim an improvement in those rules. Owing to the unfortunate illiteracy of the inferior and daily-rated staff, however, it is difficult, with all the goodwill in the world to bring home to such staff individually and collectively the implications of such option. In view of this and having regard to the subsequent improvements made in the new leave rules and the further improvements now recommended, I propose that the staff under the old leave rules should be given the option afresh. This proposal has the unanimous support of Railway Administrations. In fact wherever the Accounts Department is satisfied that the new leave rules would be distinctly more favourable than the old, it would be better to notify the staff that they would automatically come under them unless any individual communicates his decision to remain under the old leave rules by a date to be specified for the purpose. For the rest there are admittedly a few unhappy features in the old rules, *e.g.*, the "no extra cost" condition in the Fundamental Rules, restrictions on the combination of sick leave with other leave as on the B. N. Railway, but as the staff would have the option to elect the new rules with all their improvements, they must abide by any disabilities, fair or unfair, which the old rules impose, if on the whole they choose to remain under them. As a matter of fact however it is expected that practically all the employees under the old rules will now choose to come under the new rules, having regard to the substantial improvements suggested.

CHAPTER XXI.—LEAVE RESERVES

409. The only item in the terms of reference which remains to be dealt with is item 3 which reads as follows:—

"3. Whether the existing provisions regarding leave reserves are satisfactory, if not, the modifications required to provide reasonable facilities to railway servants to enjoy leave due to them."

410. **Methods adopted by Railways to enable staff to enjoy leave due.**—As the trade dispute is between the Railway Administrations and the workmen, this item must be interpreted to apply only to non-gazetted staff. The following methods are usually employed by Railway Administrations to enable non-gazetted staff to enjoy the leave due to them:—

(i) A leave reserve is specifically sanctioned on the basis of a certain percentage of the working posts and this is provided in the sanctioned strength either of the particular category or as it often happens, of the lowest category of the group concerned, promotions being made in the latter case, when men from a higher category proceed on leave.

(ii) Although a specific leave reserve may not be provided, the cadre of certain categories is sanctioned so as to include provision—commonly called a hidden leave reserve—for filling leave vacancies. Thus the sanctioned strength of guards generally

includes a hidden leave reserve to fill leave vacancies among guards, senior station-masters, traffic inspectors, etc. Similarly a hidden leave reserve often exists in the cadre of cleaners and firemen for those categories and higher grades of loco running staff as well as foremen and assistant foremen. The sanctioned strength of gangmen also often includes a hidden reserve.

(iii) In certain cases again while no reserve—whether specific or hidden—is provided, the cadre or the work itself is elastic so that it is possible to distribute the work of the absentee among the other staff or otherwise to manage without having to engage substitutes. This method is a variant of the previous one. A typical example is workshop labour on certain Railways and partly also clerical staff. Sometimes the cadre of these categories also includes a hidden leave reserve. Under method (i) relieving staff are earmarked for leave and other purposes while methods (ii) and (iii) are generally peculiar to certain categories, such as those mentioned, where it is not possible to allocate the staff for such purposes.

(iv) Temporary extra staff is provided at a later date to pull up the arrears of work caused by the absence of the staff proceeding on leave with or without pay, *e.g.*, in the case of gangmen, on the E. I. Railway, A similar practice is observed in the case of gangmen on the N.W. Railway to cover arrears of work caused by short leave under a month, substitutes being employed in longer vacancies. This method may also be used to supplement a leave reserve for the normal requirements, express or hidden, *e.g.*, in the case of clerical staff, gangmen, etc.

(v) Substitutes are appointed from outside in leave vacancies—a practice which is common on all Railways—in respect of those categories of staff for which previous training and knowledge is not essential, such as non-technical inferior staff including watermen, sweepers, coolies, box-porters, call-boys, waiting room and running room staff, etc. During periods of light work or otherwise for short periods it may be possible to sanction leave without employing substitutes even though no leave reserve exists.

The adoption of any one or a combination of these methods depends on the local conditions and requirements in respect of the various categories of staff and the nature of their duties. As we have seen, it is only certain special categories, most numerous though, which lend themselves to the adoption of methods (ii), (iii) or (iv) and the last of these is resorted to only as a temporary expedient. Methods (i) and (v) are the standard methods and of these the latter generally works satisfactorily in the case of non-technical inferior staff or unskilled labour. This method, however, offers no relief in casual leave vacancies for which the appointment of substitutes is not permissible under the rules. Method (i) is indicated for the bulk of subordinate and technical inferior staff.

411. **Divergence in leave reserves for various categories and on various Railways.**—Coming now to the existing provisions regarding leave reserves, their sanctioned strength varies considerably for various categories and on various Railways—sometimes in the same category within the same Railway—due to the following reasons:—

(i) Power to create subordinate posts is delegated to lower authorities upto certain limits; hence the strength of leave reserve is usually determined by Heads of Departments according to their conception of the local conditions and requirements. Leave reserves

have thus generally grown up in an *ad hoc* manner without any attempt on the part of the Headquarters office to co-ordinate or calculate them on a scientific or statistical basis.

(ii) What is more, the leave reserves are not meant or used for leave alone but generally cover a variety of other purposes, *e.g.*, unauthorised absence, time spent in carrying out orders of transfers and promotions, training courses, periodical medical tests, departmental enquiries, sports and other welfare activities, vacancies caused by suspension (usually of inferior staff) and occasional rush of traffic during fairs, etc. Thus the so-called leave reserve virtually constitutes 'Relieving staff' which is drawn upon for leave and a number of other departmental requirements. Leave requirements naturally absorb a considerable share of the relieving staff, but it has not been possible to ascertain the precise extent to which the reserves were sanctioned and are utilised for leave and other purposes.

412. **Review of existing reserves on Railways.**—A statement showing the relieving staff sanctioned for important categories of staff on the various railways is given department-wise in Appendix XX. This is based on the replies received to our questionnaire though these in some cases are at variance with the information furnished in the Printed Memorandum. Opportunity has been taken to indicate in parallel columns in the statement the relieving staff suggested by certain Administrations both for leave and other purposes. It will be seen that there is a bewildering variety both in the existing and the proposed relieving staff. As already explained, relieving staff for several categories is often provided, and aptly so, in a lower category of the same group and it is possible that instead of showing such relieving staff separately for the various categories for which it has been sanctioned, it has been lumped up in some cases and shown against the category in which it has been provided.

413. With these preliminary observations we will now proceed to review the present and proposed reserves on the various Railways. An abstract showing the reserves by convenient groups will be found in Appendix XXI and it will suffice here to sum up the position in respect of each railway.

(1) **G.I.P. Railway.**—(i) A specific reserve of about 20 per cent. is provided for station masters and assistant station masters in the higher grades, yard staff and signallers. The same reserve—though merged in the cadre—exists for guards and brakesmen. For section controllers the reserve is reported to be 30 per cent. For station masters and assistant station masters in lower grades and commercial clerks the reserve ranges from 25 to 35 per cent. and 12 to 20 per cent. respectively on the various divisions and the Administration has suggested a uniform reserve of 20 per cent. for the latter category.

(ii) The reserve for the subordinate and the running staff in the Loco Department is 16-2/3 per cent. *i.e.*, 1/6th of the working strength.

(iii) In the Carriage and Wagon, Traction and Engineering Departments the reserve is 10 per cent. throughout. The Administration has suggested an increase in the case of subordinate staff in the two latter departments to 15 per cent.

(iv) In the clerical staff the reserve is 10 per cent. in practically all departments including offices and workshops. In the Traffic Department however the reserve is 20 per cent.

(v) It is noteworthy that on this railway there is a provision of 10 per cent. reserve for labour and inferior staff, whether skilled or unskilled, technical or non-technical, practically in all departments; in fact for workshop labour 12

per cent. is provided. The Administration may perhaps prefer the alternative method of employing substitutes in unskilled and non-technical inferior cadres, keeping only a small reserve for casual leave vacancies.

(vi) Another significant point peculiar to the G.I.P. Railway is the provision of a separate training reserve on a small scale for staff deputed for training in the Railway School at Bina, *viz.*, assistant station masters, commercial clerks, guards, drivers, section controllers and carriage and wagon coolies. This reserve is calculated on the actual requirements, having regard to the accommodation and training facilities available. Yet another point worth mention is that on the G.I.P. Railway a temporary additional reserve has been recently sanctioned for those categories in which leave was severely restricted during the war.

(2) **B.,B. and C.I. Railway.**—(i) In the Traffic Department, relieving staff is provided at 24 per cent. of the working cadre for all outdoor subordinate staff (including station-masters and assistant station masters, traffic inspectors, trains clerks, yard staff, guards, brakesmen, special ticket examiners), 17 per cent. for indoor subordinate staff (such as signallers, commercial clerks and ticket collectors) and 11 per cent. for correspondence clerks and technical inferior staff (such as shunting jamadars and porters, cabinmen and pointsmen and gate-keepers), as well as watchmen. No leave reserve is provided for non-technical inferior staff generally, including station porters, watermen, sweepers, waiting room and running room staff, station peons, box porters, call boys, etc.

(ii) In the Loco and Carriage and Wagon Departments a hidden reserve of about 10 per cent. is provided in the category of cleaners for all loco staff including subordinates, running staff and labour of all grades, promotions being made when men in higher grades proceed on leave, *e.g.*, of a cleaner as a fireman, a fireman as a shunter and a shunter as a driver. During the busy season or when there is bunching of leave applications substitutes are also engaged from outside as cleaners. During the monsoon on the other hand when traffic is slack and the number of leave applications too is not considerable, the cleaners who may be surplus to requirements are utilised on odd jobs. In the Carriage and Wagon branch also there is a leave reserve of about 10 per cent. in the lower categories for all staff, which is supplemented by the engagement of substitutes during the busy season. The Administration has now suggested a reserve of 15 per cent. for the staff in the Loco and Carriage and Wagon Departments.

(iii) In the Engineering Department the sanctioned cadre includes an element of leave reserve at 12½ per cent. for subordinates, artisans and gangmen on the Broad Gauge and 8 per cent. for subordinates on the Metre Gauge. No reserve is provided for artisans and inferior staff on the Metre Gauge.

(iv) For the clerical staff the usual rate is about 10 per cent. The Administration reports that the sanctioned leave reserve has generally been found to be adequate.

(3) **B.A. Railway.**—(i) In normal conditions the reserve in the Traffic Department is 10 to 16 per cent. for the subordinate staff and 4 to 12 per cent. for technical inferior staff. In the Medical Department a reserve of 5 to 8 per cent. exists for the subordinate staff. In other departments no separate reserve exists but the cadre often includes a hidden reserve to cover their leave and other requirements.

(ii) In the case of non-technical inferior staff a reserve of 10 per cent. is generally provided in the Traffic Department, while in other departments substitutes are employed in leave vacancies.

(iii) The provision of leave reserves was considerably increased during the war to ensure the movement of traffic without a hitch. And as a result of a recent investigation the Administration has suggested a reserve of:—

(a) 20 per cent. for technical staff, both subordinate and inferior, in the Traffic Department.

(b) 15 per cent. for running staff, both Loco and Traffic.

(c) 20 per cent. and 15 per cent. for supervising staff and skilled labour in Loco and Carriage Department and in workshops respectively.

(d) 10 per cent. for all technical staff, subordinate or inferior, in other departments, as well as clerical and office inferior staff in all departments. For non-technical inferior staff and unskilled labour the Administration would prefer to employ substitutes in leave vacancies save for workshops, where a reserve of 10 per cent. has been suggested and in Traffic and Loco Departments where a small reserve of 5 per cent. is suggested with power to engage substitutes in addition.

The proposed reserves include a provision of 5 to 7 per cent. for purposes other than leave in the Traffic, Loco and Carriage and Wagon Departments. A significant feature of the proposals made by the Administration is an all-round increase of 5 per cent. over the figures mentioned above for unhealthy districts which abound on this railway.

(4) **E. I. Railway.**—(i) In the Traffic Department the reserve is 21·3 per cent. for assistant station masters and station masters, 18·8 per cent. for signallers, 17·2 per cent. for yard foremen, 16·4 per cent. for ticket collectors and 14·4 per cent. for commercial clerks, 18 per cent. for postmen and 16·8 per cent. for switchmen and cabin signalmen. No reserve exists for non-technical interior staff but substitutes are engaged in vacancies exceeding 21 days or if necessary, in shorter vacancies.

(ii) In the Loco Department, a hidden reserve exists for running staff at 25 per cent., part of which calculated on the basis of minimum requirements is provided in the grade itself, *i.e.*, drivers, shunters or firemen, as the case may be, and part in the next lower grades, *i.e.*, shunters, firemen and cleaners respectively.

(iii) In the Carriage and Wagon Department the reserve exists only in a few localities, the general practice being to fill vacancies by appointing substitutes at the bottom. The cadre of artisans in the Loco and Carriage and Wagon Departments is elastic so as to permit of the work of the absentee being distributed among the staff on duty.

(iv) For clerical staff the reserve is 18 per cent. in the Divisional offices, the average over the railway being 14·4 per cent.

(v) A significant feature of the arrangements in force on this railway is that in the case of inferior servants such as non-technical inferior staff in the Traffic Department, subject to the Fundamental or ex-company Leave Rules, while no leave reserve generally exists, a lump sum is placed at the disposal of Divisional Superintendents to enable them to appoint substitutes in vacancies exceeding 21 days or if necessary, shorter vacancies. This enables such staff to get leave salary in full, rendering the "no extra cost" condition in-operative. In actual practice this condition is also disregarded on the B.A. Railway.

(5) **N.W. Railway.**—(i) In the Traffic Department the reserve is 20 to 26 per cent. for station masters and 16 to 25 per cent. for assistant station masters; 15 to 25 per cent. for signallers; 10 to 20 per cent. for trains clerks; 15 to 17 per cent. for ticket collectors and commercial clerks; 11 to 15 per cent. for Special Ticket examiners and 8 to 15 per cent. for yard

supervisors and foremen; 8 to 20 per cent. for controllers and 15 to 25 per cent. for guards, brakesmen and shunting jamadars and porters; 12 to 20 per cent. for cabinmen and pointsmen; 10 to 15 per cent. for van porters, gatekeepers and watchmen. Until recently no reserve was provided for non-technical inferior staff but as this had the effect of depriving them of casual leave and sometimes other leave as well, a reserve of 10 per cent. has now been provided for sweepers, watermen and cooks. No reserve, however, exists for call boys, box porters, and waiting and running room staff.

(ii) In the Loco Department a reserve exists at 15 per cent. in the category of cleaners, both for cleaners and the running staff and 10 per cent. in the unskilled grade for all labour.

(iii) In the Engineering Department leave vacancies of subordinates are filled by promotion from lower grades. In the case of gangmen, substitutes are engaged in vacancies of a month or more while temporary extra gangs are appointed when necessary, to pick up the arrears of maintenance caused by shorter leave.

(iv) In the Medical Department the reserve is about 10 per cent. for all categories.

(v) In the clerical staff the reserve is 10 per cent. except in the Engineering Department where no reserve exists.

(6) **O.T. Railway.**—(i) In the Traffic Department the reserve is 15 per cent. for subordinates and running staff. This has recently been increased to 20 per cent. but the new sanction has yet to be implemented. For shunting staff, cabinmen and pointsmen the reserve is 15 per cent., while for non-technical inferior staff, no reserve is provided except in the case of travelling van porters for whom a reserve at 15 per cent. exists.

(ii) In the Loco and Carriage and Wagon and Engineering Departments a reserve of 8-1/3 per cent. *i.e.*, 1/12th of the working strength, has recently been sanctioned for the staff generally. The Administration has now suggested that for labour and non-technical inferior staff, it would be better to go without a reserve and to employ substitutes in leave vacancies.

(iii) In the Medical Department the reserve is 16-2/3 per cent., *i.e.* 1/6th of the working strength for sub-assistant surgeons, nurses and dispensers, while for inferior staff substitutes are employed.

(iv) In the clerical staff the reserve is 10 per cent. in Administrative offices and Traffic and Medical Departments and 8-1/3 per cent. in other departments.

(7) **M. and S. M. Railway.**—(i) For the Traffic Department, the reserve for station masters and assistant station masters varies from 5 to 9 per cent. for higher grades to 21 per cent. for lower grades. The reserve for guards is 9 per cent.; for other Transportation subordinates 10 to 13 per cent. and for Commercial subordinate staff 14 to 16 per cent.

(ii) In the Loco and Carriage and Wagon Departments a reserve of 10 to 13·6 per cent is provided for running and other subordinate staff.

(iii) A reserve of 5 to 9 per cent. is provided for Engineering subordinates, technical inferior staff in the Traffic Department and skilled and unskilled labour in the Loco and Carriage and Wagon Departments, while no reserve is provided for non-technical inferior staff in the Traffic Department or for gangmen in the Engineering Department.

(iv) In the Medical Department the reserve is 12 per cent. for sub-assistant surgeons and dispensers and 8-1/3 per cent. for nurses.

(v) The reserve for the clerical staff varies from 5 to 13 per cent. in the various departments.

(vi) The Administration suggests a leave reserve of 12½ per cent. for subordinates and 5 per cent. for inferior staff generally.

(8) **S. I. Railway.**—(i) The reserve is 17·5 per cent. for the running staff, both Traffic and Loco, as well as other Traffic subordinates; 14 per cent. for train examiners and chargemen in Sheds; and 10 to 13·3 per cent. for sub-assistant surgeons, dispensers, dressers and nurses.

(ii) No leave reserve exists for clerks in the office and Traffic Department; but in other Departments, the reserve varies from 7 to 11 per cent.

(iii) For technical inferior staff in the Traffic Department and certain classes of labour in the Loco and Carriage and Wagon Departments, the reserve is 6 and 7·5 per cent. respectively. For cleaners it is 10 per cent. For gate-keepers ad non-technical inferior staff, *e.g.*, porters, sweepers and watermen a reserve of 4 per cent. is provided.

(iv) Where a reserve is non-existent or inadequate, it is the practice to appoint substitutes but in the case of non-technical staff and unskilled labour this is normally permitted only when the vacancy is for not less than a month or is caused by leave without pay.

9. **B. N. Railway.**—(i) In the Traffic Department, the reserve varies from 16 to 18 per cent. for the subordinate staff and 13 per cent. for the technical inferior staff. No reserve is provided for non-technical Inferior staff and in their case substitutes are engaged. The Railway has recommended a reserve of 19 per cent. for all Traffic staff. This does not however apply to Guards for whom a hidden reserve exists.

(ii) In the Loco and Carriage and Wagon Departments, except for the running staff in whose case there exists a reserve of 15 to 25 per cent. no reserve is provided for subordinate, skilled and unskilled staff. A uniform scale of 20 per cent. leave reserve has been suggested for the skilled and unskilled staff and 15 per cent. for the subordinate staff of the Carriage and Wagon Department. In the Engineering Department a reserve of 5 to 7 per cent. is provided for subordinates and 8.5 per cent. for Gatemen and Trollymen. For others, no leave reserve exists. The Administration has recommended a reserve of 16-2/3 per cent. and 15 per cent. for the subordinates and skilled and unskilled labour respectively.

(iii) In the Medical Department the leave reserve is 10 per cent. for Assistant Surgeons, and Sub-Assistant Surgeons, 6¼ per cent. conservancy supervisors, 7 per cent. for dispensers and nil for others. The Administration has suggested a reserve of 15 per cent. for the subordinate and inferior staff.

414. **Railway Board's policy.**—When the New State Railway Rules were framed in 1930, the Railway Board definitely intended that the relieving staff should be increased, wherever necessary, with a view to facilitating the grant of leave to the extent admissible under the rules, so as to remove the long-felt grievance that leave was often refused for want of relief and on other similar grounds. In promulgating the New Leave Rules, the Board gave the following instructions to the Railway Administrations:—

> "A common complaint made in respect of leave privileges is that although frequently rules allow certain benefits on paper, leave is actually withheld for want of relief and on other similar grounds. Without prejudice to the general power which the Railway Administration must reserve of refusing leave in the exigencies of the service, the Board, in framing the New Leave Rules, have been guided by the idea of allowing a reasonable annual holiday to all classes of staff and you are accordingly requested to examine the adequacy of the relieving staff and to sanction

the entertainment of such additional staff as may be necessary with a view to facilitate the grant of leave to the extent admissible under the rules. It is hoped that this arrangement will lead to improvement both in the health and efficiency of the staff."

415. **Leave difficulties.**—Similar instructions were issued, following the receipt of the Labour Commission's Report in 1931. I understand that the adequacy of the arrangements for the grant of leave is reviewed from time to time by Railway Administrations, but as already stated, no attempt has generally been made to place the reserves on a systematic basis and in not a few cases the reserves sanctioned are *prima facie* inadequate. Moreover as a result of acute shortage of staff experienced during the war, the leave reserves were often absorbed as part of the working cadre with the result that the grant of leave, at least in the case of subordinate staff, was severely restricted. The Railway Board have themselves admitted that "during the war restrictions have had to be put upon the leave enjoyed by non-gazetted staff so that in many cases applications had to be refused". In the course of our enquiry, several cases were cited of refusal of leave, even when it was applied for on urgent grounds such as serious sickness or death in the family, and instances were also reported of persistent refusal of leave and a general stoppage of leave at times in certain branches and Railways. It was pathetic to hear one witness complaining that he could not be given leave to attend to his child on what proved to be his death-bed. In another case a medical certificate granted by a sub-assistant surgeon was cancelled by a higher medical authority presumably due to the shortage of relieving staff. Moreover, as we have seen, leave reserves are not provided, as a rule, for non-technical inferior staff. While there can be little objection to this arrangement so long as substitutes are readily available and freely appointed, it was noticed that on certain Railways arbitrary restrictions were imposed on the engagement of substitutes; for instance on the B.N., E.I. and S.I. Railways substitutes were not ordinarily appointed unless the vacancies exceeded 14, 21 or 30 days respectively. As an awkward result of this, I was informed that staff were advised to apply for longer leave than they really required to admit of a substitute being engaged. What was even more objectionable, evidence was produced to show that on the S.I. Railway inferior staff were sometimes pressed to apply for leave without pay although leave with pay was due to them, because the ban on the engagement of substitutes did not apply to vacancies caused by leave without pay. Moreover, in the case of certain classes treated as non-technical it is not always easy to find substitutes for short vacancies: a cook on the N. W. Railway for instance complained that he found it difficult to get leave unless he was able to provide a substitute in his own place. As stated in paragraph 413, a leave reserve of 10 per cent. for cooks has now been provided for.

416. Taking things as a whole, however, and having regard to the exceptional difficulties with which Railways were faced as a result of the war and its aftermath, it would appear that the Administrations tried to accommodate the staff as far as possible, consistently with the exigencies of the service, and it was significant that several witnesses who were so loud in complaining of leave difficulties had often to admit in the cross-examination that their statements were based on hearsay evidence and that they had themselves enjoyed a reasonable, in some cases a liberal, amount of leave.

417. **All-India Railwaymen's Federation's demand.**—In its Statement of Demands the Federation asks that the strength of the staff in various categories should first be examined and brought up to an adequate level so as to enable the work to be performed without undue strain and that the leave reserve should then be fixed at 25 per cent. of the working strength with

further provision for exceptionally unhealthy places or during seasons of sickness, marriage and harvesting. The first demand that the sanctioned working strength should be reviewed, wherever necessary, is reasonable and has my support. (See paragraph 323). On some Railways, particularly the O.T. Railway, there were persistent complaints that due to the inadequacy of staff, not only overwork was caused but acute difficulty was experienced in the grant of leave and that even when an employee reported sick, it was sometimes difficult to provide a relief with the result that the staff at stations had occasionally to remain on duty single-handed as long as 68 to 84 hours at a stretch. With regard to the second demand, the leave reserve should be fixed with reference to the leave requirements and those in turn are influenced by the amount of leave admissible and the men-days lost by relieving staff in transit. Mr. Guruswamy, during his summing up agreed that the real intention behind the Federation's demand was that the staff should be able to enjoy the leave due to them. While in the Federation's view a reserve of 25 per cent was called for, Mr. Guruswamy agreed that this was not meant as a rigid figure and that the leave reserve should be based on the leave rules. The Federation's chief complaint was that, during the war at least, the leave reserves generally existed only on paper.

418. **Principles and methods on which the existing reserves and other arrangements for the grant of leave should be reviewed.**—Having found that the existing provisions regarding leave reserves, etc., are not quite satisfactory. I shall now proceed, at the risk of some repetition, to indicate the principles and methods in the light of which the reserves and other arrangements made to enable railway servants to enjoy leave due to them should be reviewed with a view to a suitable modification.

(1) **Method 1.—Employment of substitutes to fill leave vacancies.**—Where suitable substitutes are readily available, as is generally the case in respect of non-technical inferior staff and unskilled labour, this method can work satisfactorily and the experience gained on many Railways has proved its merit and efficiency. As against the provision of a reserve, it has the advantage of enabling the Administration to grant leave to the staff more or less when they require it without having to carry a permanent reserve, which may not be required throughout the year, and of saving the men-days lost by relieving staff in transit. In this connection, however, the following points may be noted:—

(a) It would be desirable to place a lump sum at the disposal of the District Officers or Divisional Superintendents with power to engage substitutes whenever necessary, whether the vacancy is short or long, or due to casual or other leave. This means that restrictions regarding the minimum duration of the vacancies, alluded to in paragraph 415, which operate as an impediment in the grant of leave should be relaxed at the discretion of the local officials whenever they consider it necessary to employ substitutes. This is not to say that a substitute must be engaged even when the work can be easily managed without one, as may be possible when the cadre is elastic or during the slack season.

(b) If from an Accounts point of view the employment of substitutes is unacceptable in casual leave vacancies, or if and where it is difficult to find suitable substitutes for short vacancies, or, again, even when substitutes are forthcoming this method is deemed liable to abuse, a small reserve will have to be provided for

short and casual leave vacancies with power to employ substitutes in longer vacancies. At present it is a matter of common knowledge that for several classes of non-technical inferior staff the privilege of casual leave exists only on paper and it was to mitigate this hardship that the N.W. Railway has recently sanctioned a reserve of 10 per cent. for sweepers, watermen and cooks.

(c) As already observed, this method is suitable only in the case of non-technical inferior staff and unskilled labour, though even here, there are exceptions. For instance, in the case of unskilled labour in workshops and gangmen, it may be an advantage to provide a moderate reserve, as in the workshops labour is concentrated and no time would be lost in transit, while in the case of gangmen the supply of substitutes is often used for temporary renewals. Moreover, it may be desirable to have men with some experience both in gangs and in workshops. This latter argument may equally apply to office peons, watchmen and cooks for whom also a leave reserve is desirable.

(2) **Method 2.—Provision of an adequate Leave Reserve.**—We next come to categories of staff for whom it is usually necessary to provide a reserve to meet in full the normal or average leave requirements, such as station masters, assistant station masters, commercial clerks, controllers, guards, members of the medical and nursing professions, and to a large extent, technical inferior staff in the Transportation Department. The reserve in such cases should bear relation to the leave usually taken by the staff, which again is largely dependent, in ordinary circumstances, on the leave admissible. Even where the reserve is hidden due to the difficulty in ear-marking relieving staff, e.g., in the case of guards, the reserve should be properly estimated on this basis and shown as such in the orders sanctioning the cadres. A reserve will also be necessary for the relieving staff themselves. Allowance should usually be made in full for earned leave on full pay and for some portion, say half, of the leave on half pay. Full allowance will also be necessary for casual leave in the case of employees engaged in continuous processes as well as certain other categories such as sub-assistant surgeons, nurses, etc., whose posts must be manned however short their absence on leave. This consideration equally applies to running staff who, however, are loath to take casual leave in full as during such leave they lose running allowances. This method, in an undiluted form, will, however, lack the elasticity needed during seasons when there is bunching of leave applications and it would therefore be advisable to restrict its scope to categories for which it is not possible to find substitutes from outside, whether in the class to which the man proceeding on leave belongs or in a lower class in the same group.

(3) **Method 3.—Leave reserve supplemented by power to engage substitutes.**—This is a combination of Methods 1 and 2 and will introduce an element of elasticity in relief arrangements. Thus it may be an advantage to provide a reserve for several categories on the basis of minimum requirements with power to make promotions from the lower grades and appoint substitutes at the bottom when the number of men on leave or wanting leave exceeds the reserve. One potent cause of leave refusals is that applications are not evenly distributed over the year nor would it be possible to expect the staff in the lower grades to work to a pre-arranged leave programme. The majority of the Railways report that there is bunching of leave applications during certain seasons, *e.g.*, marriages, festivals, harvesting, etc. As recognised by several witnesses, no system of leave reserves can cope with applications during the peak season, especially when such season coincides with the bunching of leave

applications. But method 3 may help to ease the situation and is commended for adoption as the standard method in the case of categories other than those fully covered by methods 1 and 2. In working out the minimum leave requirements partial allowance will as a rule suffice for casual leave in the case of supervisory and clerical staff, gangmen and several other categories covered by this method, as during very short absences the interests of the service may often require some one on the spot or nearby to answer for the absentee in addition to the performance of his own duties.

(4) **Provision of a qualified reserve in lower grades or categories.**—For the successful working of methods 1 and 3, it is necessary to ensure the presence of a nucleus of qualified men in lower grades to fill vacancies in higher ones. To this end the staff in lower grades should be encouraged to qualify for higher posts by the offer of a small bonus and, where necessary, the provision of training facilities as well as a partial relaxation of the acting allowance rules. Under the existing orders, no acting allowance is normally admissible unless the vacancy exceeds 21 days: this virtually bans officiating promotions of the lower paid staff who seldom go on longer leave at a time, and I would suggest its reduction to 10 days. After all, when a man holds a post of higher responsibility for a period of 10 days or longer, it does not seem just to deprive him of officiating allowance. Such small concessions will not only be appreciated by the staff but should ultimately enhance the efficiency of railway working. In fact everything should be done to foster the feeling among the lower paid staff, that they too, in partnership with men in higher and supervisory grades, are vital links in the chain of railway work and management and I feel that nothing will widen their outlook or enhance their interest in life and work more than an ever-broadening scope of the avenues of advancement. Incidentally and with the same purpose in view, I would suggest that literacy in the regional languages of the Province and, where possible, Hindustani as well may, as far as possible, be regarded as a desirable qualification for employment in lower grades so that with the progressive replacement of English by the regional language in the maintenance of official records such employees may aspire to attain higher and still higher grades to the full measure of their individual capacity. Although this point may not seem quite germane to my terms of reference, I have mentioned it as it has some bearing on the maintenance of a qualified reserve in lower grades with a view to acting promotions to higher posts, thereby facilitating the grant of leave without having to maintain the reserve in full in higher categories.

(5) **Higher reserve for unhealthy areas.**—As envisaged on the B. A. Railway, a suitable addition which may vary from 3 to 5 per cent. of the working strength should be made to the leave reserves for exceptionally unhealthy districts where the staff may be expected to require 10 to 15 days more than the leave normally required in a year.

419. **Reserve required for purposes other than leave.**—In addition to leave, a reserve will be necessary for purposes other than leave, namely joining time allowed for carrying out orders of transfers and promotions, training courses, periodical medical tests, departmental inquiries, sports and other welfare activities, occasional fairs, etc. For training courses, as on the G.I.P. Railway, each Railway will have to make definite provision, having regard to the annual programmes followed in its technical schools. The best way to meet variable or temporary factors, such as absenteeism or unusual incidence of sickness, will be to permit engagement of substitutes wherever possible. In fact wherever substitutes can be found even in a partial measure, a specific reserve need not be provided for purposes other than leave. Where however, this is not usually possible, *e.g.*, for station masters, assistant station masters, commercial clerks and guards, an additional reserve calculated on the basis of approximate men-days spent will be necessary for the other purposes. But even so such reserve

will have to be pooled with the leave reserve in meeting leave and other requirements as they arise from time to time. A periodical review should, however, be made to ensure that the leave reserve is not whittled down by other demands.

420. **Additional provision for men-days lost by relieving staff in travelling and waiting for orders.**—Allowance will also have to be made where necessary for the time lost by relieving staff in travelling in connection with leave and other vacancies and in waiting for orders. It is estimated that the number of days so lost by relieving staff on various Railways varies from 3 to 7 in a month in the case of station masters and assistant station masters, signallers, commercial clerks, and technical inferior staff in the Traffic Department while for the majority of the other categories the time lost is not appreciable. A judicious posting of the relieving staff will serve to reduce such unproductive days.

421. **Estimate of annual leave and other absence.**—It would be desirable first to calculate the reserve required for the various groups other than non-technical inferior staff and the like on the quantum of leave and other absence and then to make a suitable reduction, wherever it is possible to employ substitutes to fill leave vacancies. The first thing to do, therefore, is to frame an approximate estimate of the leave and other absence in respect of each group. With regard to leave, the subordinate staff earn leave under the State Railway Leave Rules at the rate of 24 days per year on full pay and 12 days on half pay, while the inferior and daily-rated staff are eligible for leave on full pay for 15 days in a year and on half pay on medical certificate upto 120 days in all which means 4 days per year in a span of 30 years' service. Under the proposed rules, *vide* paragraph 398, the employees placed in Class III, which will include subordinate staff and any others on scales of pay with a maximum exceeding Rs. 60 in the scales recommended by the Pay Commission, will earn in each year 30 days' leave on full pay and 20 days' leave on half pay. The latter they can commute into leave on full pay on medical certificate upto 6 months in all, *i.e.*, on an average of 6 days a year based on 30 years' service. Class IV services will earn, taking an average over 30 years—22 days' leave on full pay in a year and 17 days' on half pay and can commute the latter on the same terms as Class III services. Casual leave is now allowed at varying rates on railways and on some railways it is not allowed to inferior staff. We may for the purpose of uniformity allow for 15 days' casual leave—the standard rate proposed for the future—for all staff other than workshop labour who get about the same number of paid holidays for which, however, no provision in the shape of a leave reserve will be necessary.

422. Assuming that leave on full pay including commuted leave will be taken in full and leave on half pay to half the extent due, the leave which may normally be required and taken by the staff in each year on the average in 30 years' service may be estimated as under:—

(A) Subordinates.

Leave	Under present rules	Under proposed rules
Leave on full pay . .	24 days	30 days
Leave on half pay . .	6 days	Commuted leave on full pay : 6 days Leave on half pay : 4 days.
Casual leave . . .	15 days	15 days
Total .	45 days	55 days

Note.—For reasons explained in paragraph 418 it will suffice to make partial provision for casual leave in the case of subordinate staff, other than those usually employed in a continuous process or members of the medical and nursing professions.

(B) Inferior and daily-rated staff and workers other than workshop labourers.

Leave	Under present rules	Under proposed rules
Leave on full pay . .	15 days	22 days Commuted leave on full pay : 6 days
Leave on half pay . .	4 days	2 days
Casual leave . . .	15 days	15 days
Total .	34 days	45 days

Note.—As a matter of fact, inferior and daily-rated staff take leave without pay also due to the inadequacy of existing leave privileges but it may be hoped that under the proposed leave rules this will not be necessary.

423. Next as regards the quantum of absence for other purposes, although is point has no direct bearing on the terms of reference, it would be as well discuss it here since the lack of adequate provision for other purposes will ectively retard the grant of leave. The position as visualised under this ıd will generally be as explained below:—

(1) *Periodical vision tests.*—It will suffic to make provision under this ıead only for employees in Group A under the regulations for medical examinations, namely, station masters, assistant station masters, running staff, staff in operative control of signals, *e.g.*, signalmen, levermen, pointsmen and point lockers, yard and shunting staff, loco., signal and transportation inspectors staff authorised to work trollys and gate-keepers on level crossings. Such staff are required to undergo a triennial test upto the age of 45 and annual test thereafter in the interests of public safety. The ratio of the number of employees in the two age-groups may be taken as 7:3 and the number of days lost in each examination including travelling both ways and time allowed before and for the examination as 4 or 5 days. The total number of days lost in a year in a working cadre of 100 employees, will therefore, be $\frac{4{\cdot}5\times70}{3}+4{\cdot}5\times30$ $=240$ or say 2 or 3 days per head per annum. Certain other categories of staff in yards, sheds and shops and in the permanent way and medical branches are also required to pass vision tests in their own interests and in those of their fellow-workers but that is as a rule only twice in the service. Hence the time taken per year of service will be negligible.

(2) *Joining time to carry out orders of transfers and promotions.*—It may be assumed that station masters and assistant station masters are transferred about once in every 2 years and other subordinate staff, save clerks in administrative officers, once in 3 years. Staff in inferior service except technical staff in comparatively higher grades are rarely transferred. Assuming that the joining time allowed on each occasion of transfer is normally 6 to 8 days, it would be necessary to make allowance for 3 or 4 days lost per head per annum in the case of station masters and assistant station masters and 2 days in the case of other subordinates.

(3) *Occasional rush of traffic due to fairs and other emergent work.*—The requirements under this head will vary on different railways and divisions or districts. But the staff chiefly affected will be commercial and running staff and technical inferior staff in the Traffic Department for whom a provision of 1 to 3 days in a year per head may be made.

(4) *Miscellaneous purposes.*—An allowance of 2 to 5 days per head per annum may also be made for station masters, assistant station masters, signalmen, technical inferior staff in the Traffic Department, running staff and commercial and yard staff, for miscellaneous purposes—including departmental inquiries, court attendance, suspensions (in the case of inferior staff), sports and welfare meetings, etc. This provision will also cover the time lag between the occurrence of a vacancy in the working cadre and the arrival of the man transferred to fill it. In the case of other staff the time lost for such purposes will not be appreciable.

424. Subject to local variations, the total of the leave and other absence per head per annum in the following broad groups may, therefore, be estimated as under:

Group	Leave			Other absence			Total of leave and other absence	
	Present	Proposod	Vision tests	Joining time	Fairs, etc.	Miscellaneous	Present leave rules	Proposed leave rules
S. Ms. & A. S. Ms.	45	55	3	4	..	5	57	67
Other Transportation Staff.	45	55	3	2	..	2	52	62
Commercial Staff	45	55	..	2	3	3	53	63
Running Staff	40	50	3	2	2	5	52	62
Clerical Staff	40	50	..	..	..	..	40	50
Technical Inferior Staff (Traffic)	34	45	3	1	1	4	43	54
Workshop Labour	19	30	..	..	..	..	19	30
Other labour and inferior staff.	34	45	..	..	..	..	34	45

425. **Calculation of relieving staff.**—Having estimated the quantum of the average absence per head per annum, we can now proceed to indicate the rate at which relieving staff should be provided in the light of the principles set forth above. In some cases as we have seen, the reserve must cover the whole of the absence. The formula then applicable may be expressed thus: If "N" represents the ratio of a full year to the estimated absence, then for a working cadre of N-1 a reserve of one will be required, assuming that the relieving staff waste no time in travelling or waiting for orders. Under this formula if the absence is estimated at a month in a year, the reserve necessary for a working cadre of 11 employees will be 1, *i.e.*, 9 per cent. of such cadre and this will provide for the leave of the relieving staff as well. If, however, the absence is say, 2 months in a year, the reserve necessary for a working cadre of 10 employees will be 2. *i.e.*, 20 per cent. or a little more than double the reserve required to cover a month's absence since not only the amount of the absence is doubled but the number of men for whom provision will be required will be slightly larger. In a matter like this which rests on assumptions, it is futile to attempt meticulous precision and instead of applying an elaborate formula in each case, the reserve may be fixed at a suitable percentage for absences ranging from 30 to 60 days, having regard to the points explained above. The figures so arrived at will suffice only where the relieving staff waste little or no time in travelling or waiting for orders and will have to be proportionately increased where the number of such unproductive days is appreciable. For example, if to provide for 2 months' absence in a year in a working cadre of 100 men, a reserve of 20 men is required on the assumption that such men waste no time in travelling etc., the reserve will have to be increased to $20 \times \frac{25}{20}$ *i.e.*, 25 men, if each member of the relieving staff in addition to 5 days, average absence in the month for leave and other purposes wastes 5 days in travelling, etc.

426. As already explained the reserve so calculated will have to be provided in full only in the case of categories such as station masters, assistant station masters, section controllers, commercial clerks and guards, for whom method 2 alone is suitable. Even in such cases it may sometimes be convenient to make the actual provision in a lower category in the same group, *e.g.*, in guards for senior station masters and assistant station masters, section controllers, etc. No reserve or a very limited reserve will be necessary where suitable substitutes are available to meet all requirements and a moderate reserve will be necessary in categories for which it may be desirable to adopt method 3 which provides for a minimum reserve with power to make promotions from lower grades and engage substitutes at the bottom.

427. **Reserves estimated.**—Having regard to the diversity of the conditions, it would hardly be possible on my part to prescribe or even suggest what should be the reserve for the various categories of staff on the railways, and I do not think that my terms of reference require this either. The Administrations would naturally be in a much better position to determine the reserves with due regard to the principles enunciated above and the local circumstances. In order, however, to illustrate the working of the principles, an approximate estimate of the relieving staff which may be found necessary for certain broad groups of staff in terms of a percentage of the working cadre, is given in the following table, assuming that the proposals regarding the improvements in the leave rules will be accepted. While the principles and methods suggested have generally been accepted as sound, it has been suggested by the Deputy General Managers—and I entirely agree with this suggestion—that the choice of one or more of the methods for the various groups and the scrutiny of the data on which the estimates are framed must be left to the Administrations.

Statement showing an estimate of relieving staff necessary in terms of percentage of working cadre.

Group	Estimated absence per head per annum		Relieving staff necessary in terms of percentage of working cadre				Remarks
	Leave	Other purposes	Leave proper	Other purposes	Allowance for unproductive days	Total	
1	2	3	4	5	6	7	8
1. S. Ms.	55	12	18	4	7·5	29·5 or 30	Method 2 is applicable to these groups, that is, the full reserve will be necessary in order to cover the entire absence. It may however be an advantage to make partial provision for group 2 in relieving S. Ms. and A. S. Ms. who can be more freely used for a variety of jobs.
2. Commercial staff.	55	3	18	3	4	25	
3. Running staff.	50	12	16	4	.	20	Provision may partially be made in lower grades. Relieving staff for this group is not hypothecated but merged in the cadre.
4. Clerical staff.	55	..	..	..	..	16	It may be an advantage to provide a reserve of 12% or so, with power to engage substitutes when necessary.
5. Technical inferior staff (Traffic).	45	9	14	3	3	20	It may be an advantage to provide a reserve of 15% or more, with a nucleus of qualified men in lower grades and power to engage substitutes at the bottom. In the case of this group it would however be better to err on the safe side.
6. Workshop Labour.	30	....	9	..	..	9	A reserve of about 10% would suffice with power to engage substitute labour when necessary to cover heavy sickness absenteeism, etc. The reserve will be merged in the cadre.
7. Gangmen, Office peons, and skilled labour generally.	45	..	14	..	..	14	Here also a reserve of 12% or so may be provided with power to engage temporary gangs or substitutes when necessary. The reserve will be merged in the cadre.

Statement showing an estimate of relieving staff necessary in terms of percentage of working cadre—*concld.*

Group	Estimated absence per head per annum		Relieving staff necessary in terms of percentage of working cadre				Remarks
	Leave	Other purposes	Leave proper		Allowance for unproductive days	Total	
1	2	3	4	5	6	7	8
8. Other unskilled labour and non-technical inferior staff.	45	..	..	..	..	..	In the case of this group, substitutes can normally be engaged in leave and other vacancies. It may, however, be necessary, as explained in paragraph 418, to provide a small reserve, say 5 to 8% for casual and other short leave, the balonce of the requirements being met by appointment of substitutes.

Note 1.—As already stated, the reserves for leave and other purposes will have to be pooled in actual working, subject to a periodical review calculated to ensure adequate provision for the various purposes.

Note 2.—As on the G. I. P. Railway a training reserve will have to be estimated separately on each Railway with reference to the training courses in the technical schools and will be a fixed number over and above the relieving staff as worked out above.

Note 3.—A temporary additional reserve for a couple of years may also be provided for certain categories where considerable leeway has to be made up owing to the restrictions imposed on the grant of leave during the war.

428. **Other facilities suggested.**—Before drawing this chapter to a close, I would like to suggest certain other facilities, besides the provision of a reserve, to enable the staff to enjoy reasonable leave privileges:

(1) (a) The rules governing the issue of medical certificates to non-gazetted railway servants contained in Appendix VI to the State Railway Establishment Code, Volume I, and the procedure followed in their application should be reviewed with a view to minimising undue hardship to the staff on one hand and the chances of abuse of the concession of sick leave on the other. At present I am informed that when an employee feels unable to attend duty on grounds of health, but cannot obtain a certificate from or acceptable to a Railway doctor, he is generally placed on leave without pay although leave, other than leave on medical certificate, may be at his credit. The rules for the grant of medical certificates should come into play, when an employee wishes to take advantage of leave on medical certificate. Such leave carries with it two special privileges namely, (i) it is virtually independent of the exigencies of service, and (ii) it entitles the man to a concession rate of leave salary. It stands to reason, therefore, that when an employee, before he can claim such special privileges, should conform to the regulations regarding medical certificates laid down by his department. In the preceding chapter, in fact, I have suggested that to avoid abuse of the new concession of commuted

leave on full pay it should be open to the Administrations to require the employee concerned, even if he is in a lower grade, to appear before a Medical Board. If, however, an employee who feels unwell asks for ordinary leave due, whether on full or half pay or for casual leave, without complying with the rules for the grant of medical certificates, the application should be dealt with on the merits of the case and as the competent authority can sanction such leave without cause assigned, it should be open to it to sanction it when the man applies for it on plea of illness if he can be spared.

(b) Secondly under Rule 3 of the said Rules the competent authority may at his discretion accept a certificate from any registered medical practitioner in the case of a railway servant residing beyond the jurisdiction of a Railway doctor or may refer the case to the D.M.O. for advice and then deal with it as circumstances may require. I suggest that in such cases the presumption should be in favour of accepting the certificate from the registered medical practitioner as the railway doctor was not available to the employee. It is possible that the actual practice in this respect is needlessly strict on certain Railways and if so, it should in my view be revised to conform to the spirit of the Rule.

(c) On one Railway I heard that the issue of a duty certificate when an employee reported for duty after a period of sickness was deferred pending the determination of the nature of the leave to be granted for such period and the intervening period was treated as leave without pay. This practice ignores Rule 9(2) which should operate in such cases. On the particular Railway the practice referred to has since been set right.

(d) On the G. I. P. Railway a subsidiary rule is in force that if an employee has been issued a sick certificate on a certain form, he must continue to attend the railway dispensary or take treatment from a non-railway doctor under advice to the Railway doctor on pain of being placed on leave without pay or other disciplinary action. The rule savours of compulsion with regard to medical treatment which could hardly have been intended, seeing that in certain cases, for instance, a patient may in the interests of his health believe in nature cure. Where an employee is unfit to perform his duty and obtains a certificate to this effect from a proper medical officer, he should be entitled to leave on medical certificate irrespective of any question of medical treatment unless it is quite clear that his illness is unduly prolonged due to his own fault or carelessness. I suggest that the Rule in question be suitably revised.

(2) Complaints were received that the staff were not given even a few days' casual or other leave without prior sanction or a proper medical certificate. On the G. I. P. Railway a definite rule exists that when an employee is absent under a sick note for more than two days; he should in the absence of a medical certificate from a railway doctor be placed on leave without pay or otherwise dealt with under the disciplinary rules. The staff are likely to resent a general rule of this character which may cause hardship even in genuine cases, particularly as it is known that men in higher positions are treated with greater consideration. While the general rule in the interests of discipline should be, for all alike, to obtain sanction to any leave, long or short, before it is availed of, it is conceivable that circumstances of an unavoidable and unforeseen character may arise when it becomes necessary for the staff to apply for short leave from their homes. All that I suggest is that such applications should be dealt with by the competent authorty *on their merit* without a general restrictive rule of the type complained of.

(3) In order to minimise delay in the grant of leave power should be delegated to the senior subordinates-in-charge to grant short leave so long as they do not require a substitute to be sent by a higher authority. Where such a delegation is not desirable, they can be empowered to deal with urgent cases in anticipation of formal sanction. This is in fact the practice on certain Railways and it would be as well to extend it to others.

(4) The posting of relieving staff should be decentralised as far as possible, having due regard to the availability of quarters, so that the time lost in travelling and delay in relieving men proceeding on leave may be reduced to the minimum.

(5) As far as practicable a record of leave applications with the orders passed on them should be maintained and made available for inspection in order to ensure that leave applications are dealt with on a fair and reasonable basis. At present I understand that they are often unceremoniously returned when the immediate superior is not able to sanction or recommend leave.

(6) Complaints were made of delay in issuing orders concerning leave and relief on requests received outside duty hours. On the B. B. & C. I. Railway telegraphic requests of this nature are sent direct to the Chief Clerk at his residence who issues relief orders after consulting a movement register maintained by him. Administrations should consider the possibility of adopting a somewhat similar procedure to ensure that urgent wires or, if permitted, messages received on the control phone in off-duty hours or on holidays, asking for sanction to leave and relief arrangements are transmitted immediately on the telephone or by a messenger to the authority empowered in this behalf who can keep the movement register at his residence in order to issue timely orders.

(7) Above all, it must be realised that for the successful working of any system of leave reserves or relief arrangements the co-operation of the staff and the Administrations will be essential. The majority of the railways report that there is bunching of leave applications during certain seasons, *e.g.*, marriage, festivals, harvesting, etc., and in order to compel the grant of leave in such seasons the staff often resort to sick reports or other excuses of doubtful veracity. We had an interesting case of a witness on the M. & S. M. Railway who gave "sister's marriage" as the reason for his application every time he wanted leave: another witness on the same Railway blurted out the statement that the staff paid the doctor to obtain a false certificate. As a result of this practice, the leave reserve is to some extent absorbed by "sick" leave, etc., rendering it difficult to grant leave even in urgent and deserving cases. The same thing happens in consequence of unauthorised absence, overstayals of leave and unexpected applications for extensions of leave often supported by some sort of medical certificate. Relieving staff sometimes report sick when ordered to work at inconvenient stations. All this upsets the relieving arrangements and makes it difficult to relieve men even after their leave has been sanctioned. Sometimes again those whose leave is sanctioned delay making over charge on the arrival of the relief or cancel their leave, thereby adding to the unproductive days of the relieving staff. In the collective interest such practices should be studiously avoided and the staff must ordinarily be content to take leave in turns. The Administration on its part must take steps to ensure that the residuary power to refuse leave in the exigencies of the service is used as a sacred charge, on no acount to be abused or lightly invoked. It is gratifying to note that the Railway Board have recently ruled that leave may not be withheld as a penalty, under Rule 1702 of the State Railway Establishment Code; and it may be hoped that these instructions will be followed both in the letter and in the spirit by local officials dealing with leave applications.

PART IV.—CONCLUSION

CHAPTER XXII.—SUMMARY OF CONCLUSIONS AND RECOMMENDATIONS

429. **Informal discussions with Representatives of Railway Administrations and Unions.**—My conclusions and recommendations on the various terms of reference may now be summarised. Although I take full responsibility for them, I am happy to say that both my Assessors are in general agreement with them though not necessarily with all the arguments advanced in support of them. I have also had the benefit of informal discussions with most of the important office-bearers of the All-India Railwaymen's Federation and almost all the Unions of all the Railways as also with the representatives of the various Railway Administrations. As a result of this exchange of views I have every hope that the recommendations will be accepted as fair and reasonable both by the Administrations and by the Unions and the workers generally.

430. **Conclusions on various terms of reference.**—With regard to the first term of reference I hold that a case exists for a general reduction in the existing hours of work of railway servants, although I am unable to support the Federation's demand for a uniform limit of 42 hours a week for all railway servants. With regard to the second term of reference concerning periodic rest, continuous workers alone are now entitled to a weekly rest of 24 consecutive hours. Such workers are employed either in a continuous or in a non-continuous process: by the former is meant work which has to be carried on throughout the day and the week. The majority of those employed in a non-continuous process, *e.g.*, gangmen, office clerks, etc., are able to get a substantial weekly rest including a calendar day and two nights since their work is suspended on one day in the week, usually Sunday. The rest enjoyed by those employed in a continuous process is however far from satisfactory as it does not always include a clear night in bed and what is more, it is given without the employment of relieving staff and therefore entails inconvenient long-ons or short-offs. Those designated as essentially intermittent workers are not entitled to any weekly rest. I have recommended a weekly rest for all continuous and essentially intermittent workers including a full night for all and a full day in the case of the former and at least a few spare hours during the day in the case of the latter. Such rest should be given through the employment of rest-givers wherever this is necessary to avoid the inconvenience referred to.

431. The remaining terms of reference are concerned with leave rules applicable to railway servants who are daily rated and/or in inferior service and leave reserves for all non-gazetted railway servants. Though I have not been able to accept in *toto* the Federation's demand for a uniform set of leave rules for all grades of railway servants, my proposals framed in consultation with the Pay Commission go far to meet the demand. With regard to leave reserves, these have grown up on various Railways according to local customs and requirements without any scientific attempt to co-ordinate them or place them on a systematic basis. What is more, they provide for a variety of purposes other than leave. The reserves are not in all cases adequate and many hard cases of refusals of leave were reported though the difficulties complained of were largely due to the shortage of staff and other exceptional conditions which confronted the Administrations during the war. I have indicated the principles and methods to be followed by the Administrations in fixing the reserves, with due regard to the local conditions, and have also recommended the provision of certain other facilities to enable railway servants to enjoy leave due to them.

432. **Recommendations summed up.**—The specific recommendations are now summed up below:

Hours of work and periodic rest (Items 1 and 2 of Terms of Reference).

1. **Classification.**—The employment of railway servants under the Hours of Employment Regulations should be classified under any one of the following heads:

(i) Intensive.

(ii) Continuous.

(iii) Essentially Intermittent.

(iv) Excluded.

Note.—The Hours of Employment Regulations do not apply to railway servants governed by the Factories Act, Mines Act or the Indian Merchant Shipping Act. (Paragraph 180).

2. **Scope of each class.**—The employment of all railway servants under the Hours of Employment Regulations shall be deemed to be continuous with the exception of those few whose employment may be classified as intensive or essentially intermittent, or who may be excluded, by an order of the competent authority. (Paragraph 194).

3. The employment of a railway servant shall be said to be intensive when it has been declared to be so by the Head of the Railway on the ground that it is of a strenuous nature involving continuous concentration or hard manual labour with little or no periods of relaxation. Under this definition two factors must be present, namely,

(a) strenuous nature of the work tending to cause mental or physical strain; and

(b) continuous application to such work with little or no periods of relaxation. (Paragraph 200).

Examples of the staff at very busy stations etc. who may be said to fulfil the first condition are:

(i) Section controllers.

(ii) Staff employed in line clear work.

(iii) Yard staff such as yard foremen, gunners, shunting or coupling jamadars or shunting or coupling porters.

(iv) Signallers whom it may be necessary to employ continuously on heavy circuits.

(v) Wireless operators. (Paragraph 203).

The second condition shall be deemed to be satisfied if the work performed by a railway servant employed in a continuous process is such that it does not in a 24-hour cycle afford respite from strenuous work—whether in the form of inaction or light work—to the extent of at least 6 hours. Further, shifts should be so arranged as not to exact unduly long hours of strenuous work *e.g.*, 7 in an eight-hour shift. (Paragraph 217).

4. The employment of a railway servant shall be regarded as essentially intermittent when it has been declared to be so by the Head of the Railway on the ground that his daily duty hours include periods of inaction aggregating 6 hours or more (including at least one period of not less than one hour or two periods of not less than half an hour each), during which the Railway servant is on duty, but is not called upon to display either physical activity or sustained attention. (Paragraph 232).

5. The class of 'Excluded' staff shall be limited to the following:

(i) Certain specified categories of inferior staff, *viz.*;

(a) Saloon Attendants,
(b) Care-takers of Rest Houses, Reservoirs, etc.
(c) Gate keepers of C class level crossings where the gates are normally closed against road traffic.

Provided that in the case of (b) and (c), exclusion shall be confined to those whose employment is declared by the Head of the Railway to be of an exceptionally light character on the ground that the total effective work in 24 hours amounts to less than 6 hours. (Paragraph 250). Provided further that the exclusion of any such inferior servant shall not debar him from the grant of a periodic rest on the scale indicated in recommendation No. 11 below:— (Paragraph 253).

(ii) Persons employed in a confidential capacity. (Paragraphs 247 and 250).

(iii) Supervisory staff. For this purpose a person is said to hold a position of supervision, when his employment has been so declared by the Railway Board on the ground that he holds a position of responsibility, is employed in duties mainly of a supervisory character and is from the nature of his work and position, comparatively free to adjust his hours of duty or work during such hours. (Paragraphs 248 and 250).

(iv) Members of the Health and Medical staff, such as assistant surgeons, sub-assistant surgeons, matrons and sisters-in charge. (Paragraphs 249 and 250).

6. **Limitation of Hours of Work for various Classes.**—The statutory maximum limit for the hours of employment of continuous workers should be fixed at 54 a week on the average in a month. In computing their hours of employment credit should be given as stated in recommendation 27 for the time required to take and make over etc., which has so far been ignored, except when such time is insignificant, being estimated to be under 15 minutes. (Paragraph 198).

7. In a majority of cases, the time required for taking and making over will be insignificant and the rostered hours of duty after allowing a weekly rest as recommended will be under 51 a week on the average in a month. Allowing for a slight margin of one hour an executive direction should be issued in the form of a subsidiary instruction that the rostered hours, whether in a continuous or in a non-continuous process, should not normally exceed 52 a week on the average in a month, except with the personal sanction of the General Manager and only in a few special cases. (Paragraph 198).

Note 1.—In the case of gangmen, keymen, etc., the time taken for going from the tool box to the place of duty and *vice versa* should be included in the rostered hours for the purpose of the said limit of 52 hours. (Paragraph 198).

Note 2.—In order to remove complaints of unfair discrimination Administrations should endeavour, as far as practicable, to adopt approximately the same rostered hours for the shed staff in large sheds where power is used, who may be classified as continuous under the Hours of Employment Regulations, as those in force for shed workers governed by the Factories Act—provided they are engaged in work similar in its nature intensity and volume to that of the latter and but for reasons of a purely technical character, would themselves have been governed by the Factories Act. (Paragraph 303).

8. The statutory limit of weekly hours for persons whose employment is classified as intensive should be fixed at 45 hours a week on the average in a month. Normally the rostered hours of duty will be 42 a week on the average in a month. The statutory limit makes provision for time spent in taking over and making over, where necessary, as per recommendation 27 (Paragraph 219).

9. The statutory maximum for staff classified as essentially intermittent should be 75 hours a week. Usually the rostered hours should be 72 a week. The statutory limit makes provision for the time spent in taking and making over, where necessary. (See recommendation 27) (Paragraph 238).

10. For 'excluded' workers no statutory maximum limit can be prescribed but this should not absolve the Administrations of their responsibility, on humanitarian grounds, of seeing that unreasonable conditions are not imposed. (Paragraph 252).

11. Periodic rest for the various classes.—Periodic rest should be given on the following scale:—

(i) For intensive and continuous workers—at least 30 consecutive hours in a week, which will automatically include a full night and a full day. (Paragraphs 218 and 195).

(ii) For essentially intermittent workers—at least 24 consecutive hours in a week including a full night. (Paragraph 237).

(iii) For excluded (inferior) staff—at least one period of 48 consecutive hours in a month or one period of 24 consecutive hours in each fortnight. (Paragraph 253).

Note 1.—In the case of continuous workers employed in a continuous process the rest recommended should be given through relieving staff or rest givers suitably located in order to minimise loss of men-hours in transit. The employment of such rest-givers will be equally necessary to give rest to essentially intermittent workers. Rest to excluded (inferior) staff will also be given by deputing other staff to attend to their duties. (Paragraph 181).

Note 2.—In the case of mates, keymen and gangmen, as well as artisans and unskilled labour employed for temporary purposes, periodic rest may however be given on the lines laid down in Rule 6A of the Hours of Employment Rules, *i.e.*, a calendar day's rest each week or at the discretion of the Railway Administration, an equivalent number of consecutive days upto a limit of three.

12. **Loco and Traffic Running Staff.**—The Loco. and Traffic Running Staff should be brought under the Regulations and the structure of their pay and allowances suitably modified to admit of this as contemplated in Railway Board's letter No. E-45-LE.101/R, dated 17th August 1946. (Paragraph 274). They will generally be classified as continuous with the weekly limit of 54 hours on the average in a month. For this purpose time should be calculated from signing on to signing off. (Paragraph 275).

13. In partial modification of the weekly rest of 30 consecutive hours recommended for continuous workers, running staff may be given 4 periods of not less than 30 consecutive hours each or 5 periods of not less than 22 consecutive hours each in a month. Such rest should be given at head-quarters and should always include a night in bed It should be given as far as possible once in every 10 days. To enable the staff to make advantageous use of periodic rest, it is desirable that they should as far as practicable be advised at or before its commencement. (Paragraph 283).

14. Their running duty at a stretch should not ordinarily exceed 10 hours and they should be entitled to claim relief after 12 hours, provided they have given 2 hours' notice for relief to the Controller. For the purpose of computing duty at a stretch, time should be calculated from the actual departure of the train. (Paragraphs 277-278, 288).

15. The Railway Administrations should review the allowance at present made for engine or train attendance and take steps to ensure that reasonable credit is allowed for the purpose. (Paragraphs 284, 286).

16. The Railway Board should issue instructions that performance of continuous night duty by running staff should not normally exceed six nights at a stretch. (Paragraphs 285 and 288).

17. The Railway Board should issue instructions that running staff should not normally be away from headquarters for more than three or four days at a stretch. (Paragraphs 285 and 288).

18. The Railway Administrations should examine the question and make such alteration as may be necessary in order to enable the staff to have adequate rest after their trips, particularly at headquarters. (Paragraphs 287 and 288).

19. **Other Running Staff.**—Travelling Ticket Examiners should also be brought under the Hours of Employment Regulations and generally classified as continuous and their working hours and periodic rest regulated accordingly. (Paragraph 290).

20. Travelling van checkers, travelling van porters, loco. van clerks and travelling stores delivery staff should be brought under the Regulations. As their work cannot be adjusted to a daily roster, the definition of "essentially intermittent" cannot be made applicable in their case. Their hours of employment should therefore be kept within the maximum limit of 54 hours a week on the average in the month—the limit prescribed for continuous workers. For this purpose their working hours should however, be computed as suggested in recommendation 27. (Paragraph 295).

21. Periodic rest for the running staff mentioned above may be given on the modified scale recommended for Loco. and Traffic running staff, but having regard to the length of their trips, the competent authority may in their case provide for some portion of the rest being given away from headquarters and/or at intervals of more than 10 days. (Paragraph 296).

22. **Miscellaneous Staff.**—Marine staff, other than those governed by the Factories Act or the Indian Merchant Shipping Act, *e.g.*, Jetty and shore staff, ferry staff, etc., should be brought under the Hours of Employment Regulations. They will be classified as continuous or intermittent according to the nature of their duty and their working hours and periodic rest will be regulated accordingly and, in the case of the ferry staff, in the same manner as those of the running staff. (Paragraph 307).

With respect to the steamer working staff on the S. I Railway governed by the Indian Merchant Shipping Act, steps should be taken on humanitarian grounds to regulate the hours of duty in accordance with the principles of the Hours of Employment Regulations. Every effort should also be made to give such staff reasonable periodic rest more or less on the lines recommended for running staff. (Paragraph 311).

23. Pay Staff employed at headquarters should generally be classified as continuous and their hours of duty and periodic rest regulated accordingly. In the case of travelling pay clerks, however, their working hours for the purpose of the 54-hour week will be computed in the manner suggested in recommendation 27 and periodic rest may be given on the scale and in the manner recommended for running staff. (Paragraph 314).

24. Catering staff will be either stationary or travelling staff. The stationary staff should be classified either as continuous or essentially intermittent according to the nature of their work and their weekly hours and periodic rest regulated accordingly. In the case of those attached to Restaurant cars, their working hours will be limited to 54 a week on an average in a month and for this purpose will be computed as suggested in recommendation 27. Their periodic rest will be on the modified scale recommended for running staff. (Paragraph 315).

25. **Overtime payment and compensatory rest.**—(i) Payment of overtime under the Hours of Employment Regulations should be admissible not only in

cases of exceptional pressure of work arising from increase in traffic, sickness of staff, etc., but also in accidents and other circumstances specified in clause (a) of Section 71-C. (Paragraph 318).

(ii) The overtime rate should be increased from 1¼ to 1½ times the ordinary rate of pay. (Paragraph 319).

(iii) Whenever it becomes necessary to exempt an employee from the statutory rules regarding the hours of work due to exigencies of service, formal orders to this effect should be issued and a register maintained to record the hours of work beyond the rostered hours during the period of exemption. (Paragraph 320).

(iv) Overtime should be allowed, if due, for extra hours of work, if any, from the date of the orders of the competent authority sanctioning the higher classification for so long as it is not possible to implement the sanction by the provision of extra staff. Further if in a particular case such authority is satisfied that the circumstances which necessitated the revision of classification were in existence over a long period, sanction to the revised classification may be allowed with retrospective effect from a suitable date to be specified. (Paragraph 324).

(v) Formal orders should be issued whenever it is necessary to suspend the weekly rest and every effort should be made by the Administrations to grant compensatory rest within a reasonable time and if possible, within a week of such suspension. (Paragraph 321).

(vi) The principle of averaging weekly hours in the case of continuous workers over a month embodied in Section 71-C(1) may be continued to provide a degree of elasticity so essential in railway operation. (Paragraph 322).

(vii) Railway Board should devise a uniform procedure with regard to the counting of overtime when a railway servant normally classified as essentially intermittent works overtime for a portion of a month in a continuous post. (Paragraph 325).

26. Railway Administrations should wherever necessary review existing cadres and bring them to the normal working requirements. Urgent steps should also be taken to provide the additional staff required to work upto the sanctioned cadres. (Paragraph 323).

27. **Calculation of hours of employment—time for taking and making over.**—Subject to the following, the term "Hours of Employment" will be defined as in Appendix XI to the State Railway General Code:—

(1) The time which may be required by an employee on a reasonable estimate to make and take over charge must be included unless it is insignificant, *i.e.*, under 15 minutes. Where such time is 15 minutes or over, credit should be allowed as under:

(a) To continuous workers—

(i) half an hour a day or 3 hours a week when such time is estimated to be under 45 minutes, and

(ii) one hour a day or 6 hours a week when it is estimated to be 45 minutes or over. (Paragraph 196).

(b) To intensive or essentially intermittent workers at a consolidated rate of 3 hours a week. (Paragraphs 219 & 238).

(2) *Travelling on duty.*—In the case of staff travelling as passengers on duty, for whom the Administration does not normally provide travelling facilities and who are not usually expected to be working during their journeys, short journeys not exceeding 4 hours may be totally disregarded. In the case of longer journeys full credit should be allowed to essentially intermittent and two-thirds to continuous workers, in respect of the excess over 4 hours: Provided that the

usual practice of counting in full the time spent in a journey during the normal rostered hours of duty may, on practical grounds, be allowed to remain. (Paragraph 186).

(3) In the case of certain travelling staff such as travelling van clerks and porters, store-line distributors, travelling pay clerks and catering staff attached to Restaurant cars who are ordinarily provided with special travelling facilities and required to work for a portion of the time spent in travelling including halts, the principle should be to allow credit in full for such of the time spent in travelling during which they are expected to be fairly busy and for a fraction, say 25 per cent., of the time occupied in travelling when they do little or no work. (Reasonable credit will also have to be given in all such cases for taking and making over and for the working hours at headquarters). (Paragraph 188).

Note.—The precise method for calculation of travelling time is indicated in the relevant chapters. It will be open to the Railway Board to prescribe a simpler and more equitable formula which may also be acceptable from the workmen's point of view.

(4) In the case of spare crew travelling in crew vans, no credit need be allowed either for halts at stations or when the train is in motion as they are supposed to be on rest for the whole of the period. (Paragraph 189).

(5) Waiting at place of duty.—The time during which an employee is waiting at the place of duty and not resting should be included in the hours of employment since the employee is available for such suitable work as the Administration may assign to him. (Paragraph 191).

28. **Machinery for internal check.**—Each Railway Administration should have an organisation somewhat on the lines of the Bengal Nagpur Railway for ensuring as far as possible that the classification of the staff is in accordance with both the spirit and the letter of the Regulations and to attend to the references that may be received from the Regional Labour Commissioners or Labour Inspectors. (Paragraph 347).

29. **Machinery for resolving disputes.**—All complaints regarding classification should be determined by the Regional Labour Commissioner, who may investigate into the complaints either himself or through a Labour Inspector after giving a hearing to both the Railway Administrations and the railway servant or a recognised union of which he is a member. If the decision of the Regional Labour Commissioner is not accepted by either party, then an appeal should lie to the Chief Labour Commissioner whose decision should be final. (Paragraph 348).

30. **Split-shifts.**—In the case of split-shifts the following conditions should be observed:

(a) Spells of duty should not exceed four in all, the number of breaks thus being limited to three.

(b) Any break of less than half an hour should be ignored and included in the duty hours.

(c) If there are four spells of duty, quarters should invariably be provided for the staff to take rest and if the spells of duty are three, the staff concerned should be given some preference in the allotment of quarters.

(d) As far as possible the spreadover should be limited to 16 hours, provided that the rest between 10 P.M. and 6 A.M. is not broken and to 14 hours if such rest is broken. (Paragraph 330).

31. **Continual night duty.**—(i) For employment, which involves the performance of continual night duty, attempts should wherever possible be made to arrange, by amalgamation of the cadres or otherwise, that the men employed in night duty alternate with those working in the day shift to the extent feasible.

(ii) Where adequate relief is not possible by this method, the men affected should be transferred after completion of one or two years' service to some other station where they will not be subject to continual night duty.

(iii) The employment of women at night, *i.e.*, between 10 P.M. and 6 A.M. should be effectively discouraged save in professions where women only have to be employed, *e.g.*, nurses, dais, etc. (Paragraph 335).

32. **Running Rooms, crew and rest vans, etc.**—(i) Administrations should give special attention to the improvement of running rooms to see that the facilities afforded to the running staff are such as to enable them to get adequate rest. This applies equally to crew vans and rest vans. (Paragraph 337).

(ii) It is also desirable that Railway Administrations should try and make provision for one room at each fairly large station for the use of staff who may be arriving at that station on relieving or other duty. It should also be available for the use of the staff who are off duty at inconvenient hours. (Paragraph 338).

33. **Existing conditions, if more favourable, not affected.**—My recommendations are not intended to affect any existing conditions on Railways which may be more favourable to the employees. (Rostered hours for office clerks are for example appreciably shorter than the statutory limit, having regard to the nature of their work. See paragraph 102.)

34. **Residuary power to make modification in special cases.**—Although every effort has been made in the time at my disposal to frame recommendations suited to the working conditions of the various categories of staff, it is conceivable that there may be a few individual cases in which the conditions may be so special as to necessitate a modification of the rules and arrangements recommended. In such cases the rules to be framed should reserve power in the hands of the higher authority, *viz.*, the Government of India, to make such modification as may be essential.

35. **Time required to implement recommendations.**—It has been estimated on a rough calculation that my recommendations with respect to the first two terms of reference will, if accepted in full, necessitate the engagement of additional staff of about 79,000 men on all the Railways and involve a recurring expenditure of about 6½ crores at the present level of wages, etc., in addition to the capital expenditure that may have to be incurred for constructing quarters, running rooms, etc. More than half the additional staff will be required in Class IV Services for which previous training is not ordinarily required. The rest would require training which may extend from 6 months to two years. Having regard to the time required for recruiting and training the additional staff, I think it should be possible to implement the Government of India's decisions on my proposals—

(i) In six months to a year in the case of Class IV Services.

(ii) In 12 to 18 months in the case of subordinate staff other than Loco Running Staff.

(iii) In 2 to 2½ years in the case of Loco Running Staff.

These estimates should not preclude any individual Administrations from giving effect to the proposals in shorter time if they find it feasible to do so, especially where surplus staff and suitable ex-service personnel are available. (Paragraphs 357 and 358).

Leave privileges for railway servants in class IV and daily-rated staff (Item 4 of terms of reference.)

36. **Leave privileges for class IV service.**—Railway servants in Class IV should be eligible for leave on the following scale:—

(i) *Leave on full pay*—

Length of service	Leave earned per year of service	Limit of accumulation
Up to 10 years	15 days	2 months
Over 10 but not Over 20 years	20 days	3 months
Over 20 years	30 days	4 months

(ii) *Leave on half pay*—

Length of service	Leave earned per year of service
Upto 20 years	15 days
Over 20 years	20 days

(iii) *Commuted Leave on medical certificate on full pay.*—An employee shall have the right to commute leave on half pay earned under (ii) above into leave on full pay on medical certificate for half of that period subject to such commuted leave not exceeding 6 months in the total service.

(iv) *Leave not due on half pay on medical certificate.*—Upto 6 months in all in the total service, such leave being debited against leave subsequently earned.

(v) *Casual leave.*—Casual leave should be granted to members of class IV services in common with those in higher services upto 15 days per year subject to a limit of 10 days at a time. Administrations should, however, have discretionary power to waive this latter limit where staff are recruited from considerable distances. (Paragraphs 398 and 404).

Under these proposals, an employee in a class IV service will in a span of 30 years' service earn the following leave per year:—

(1) Leave on full pay	22 days (as against 30 in the case of higher services) with right to accumulate it over 4 years as in the case of higher services.
(2) Leave on half pay	17 days (as against 20 days in the case of higher services).
(3) Casual leave	15 days (the same as for class III services).

He will also have the right to commute leave on half pay into leave on full pay on medical certificate and to leave in advance on half pay on medical certificate on the same terms as those applicable to higher services. It will also be seen that after 20 years' service an employee in class IV will be absolutely on the same level as members of higher services even with regard to leave on full and half pay.

37. In addition to leave, a reasonable number of holidays may be granted but only if and where the staff can be conveniently spared. As holidays are granted not for rest, which is covered by leave and periodic rest, but only for special reasons connected with certain specified days, I am unable to recommend compensatory leave in *lieu* of holidays forgone. (Paragraph 404).

38. **Daily rated staff.**—Daily rated staff on Railways should be eligible for leave like all other staff according to the class in which they would fall except that in the case of workshop employees at least 15 paid holidays will be allowed in *lieu* of casual leave. The majority will be in class IV except skilled artisans and mistries for whom leave rules for the higher services will apply. (Paragraphs 399, 395 and 404).

39. With regard to compulsory unpaid holidays in workshops, the Administrations should consult the workmen and their representatives from time to time with a view to reducing them to the smallest possible number. (Paragraph 405).

40. **Temporary employees.**—In the case of temporary employees engaged for a definite short term, leave should be allowed on the terms stipulated in the agreement or order of appointment. Where, however, persons are appointed on a temporary footing for a long or indefinite period, they should, after completion of one year's service, be given right to earn leave on full and half pay on the same terms as permanent employees with the like right to commute leave on half pay into leave on full pay on medical certificate. (Paragraph 402).

41. **Special kinds of leave.**—With regard to special kinds of leave referred to in paragraph 407 of Chapter XX, I have suggested that the practice on various Railways be standardized to bring it into line with the rules in the State Railway Codes. (Paragraph 407).

42. **Option to elect new rules.**—Staff under the old leave rules should be given the option afresh to elect the new leave rules, as they would stand, after the improvements recommended are effected. (Paragraph 408).

Leave Reserves, etc.—Item (3) of Terms of Reference

43. **Principles and methods in fixing leave reserves.**—To place leave reserves on a satisfactory footing, the following methods and principles are suggested for the general guidance of Railway Administrations who will in adopting them have due regard to the local conditions: (Paragraph 418):—

(1) For categories of staff for whom suitable substitutes are readily available, as is generally the case in respect of non-technical inferior staff and unskilled labour, it would be desirable to place a lump sum amount at the disposal of District Officers or Divisional Superintendents with power to engage substitutes whenever necessary, whether the vacancy is short or long or due to casual or other leave. Those officers should also be authorised to relax the restriction regarding the minimum duration of vacancies, wherever they consider it necessary to employ substitutes. Having regard to the present Accounts objections to the engagement of substitutes in casual leave vacancies and the possible difficulties in finding suitable substitutes for short vacancies, a limited reserve will have to be provided even in such categories for short and casual leave vacancies, with power to employ substitutes in longer vacancies.

(2) For categories of staff for whom it is not possible to find substitutes whether in the class to which the absentee belongs or in a lower class in the same group, *e.g.*, Station and Assistant Station Masters, Commercial Clerks, Guards, members of the medical and nursing

professions, and certain others for whom previous training is required, it is necessary to provide an adequate leave reserve based on the leave usually taken by the staff (including relieving staff). Allowance should be made in full for leave on full pay in their case and for casual leave also in the case of employees whose posts must be manned, however short their leave may be, and for some portion, say half, of other leave.

(3) In the case of categories not covered by methods (1) and (2) above, *e.g.*, clerical staff, artisans and possibly loco running staff and technical inferior staff, it may be an advantage to provide a reserve on the basis of minimum leave requirements and to authorise promotion from lower grades and appointment of substitutes at the bottom, when the number of men on leave or wanting leave exceeds the reserve. This combination of methods 1 and 2 provides a degree of elasticity in granting leave when there is bunching of leave applications and may with advantage be extended to other categories wherever experience shows it to be practicable.

(4) With a view to ensuring a nucleus of qualified men in the lower grades, staff in such grades should be encouraged to qualify for higher posts by the offer of a small bonus and where necessary, the provision of training facilities as well as partial relaxation of the acting allowance rules; for example, acting allowance may be made admissible for vacancies exceeding 10 days instead of 21 days as at present.

(5) For exceptionally unhealthy areas a suitable addition, varying from 3 to 5 per cent. of the working strength, should be made to the reserve.

44. **Reserves for purposes other than leave.**—For purposes other than leave, *e.g.*, joining time on transfers, training courses, vision tests, occasional fairs, etc., a specific reserve calculated on the basis of approximate men-days lost is necessary except in the case of categories of staff for whom substitutes are available. Such reserve will however, have to be pooled with the leave reserve; but a periodical review should be undertaken so as to ensure that the leave reserve is not whittled down by other demands. (Paragraph 419).

45. **Allowance necessary for relieving staff and for their unproductive days.**—In calculating reserve for leave and other purposes provision will have to be made, not only for staff in the working cadre and relieving staff but also, where necessary, for men-days lost by relieving staff in travelling in connection with leave and other vacancies and in waiting for orders. (Paragraph 425).

46. **Estimated reserves.**—To illustrate the working of these methods and principles I have estimated the quantum of leave and other requirements and the leave reserves necessary for certain broad groups or categories of staff, after providing for the requirements of the relieving staff as well and where necessary, for the unproductive days of such staff. The reserves so estimated range from 10 to 15 per cent. with power to engage substitutes in addition in the case of workshop labour, gangmen, clerical staff and technical inferior staff and from 20 to 30 per cent. for running staff, commercial clerks and station masters. A suitable addition to these figures would be necessary in certain categories on account of a training reserve and possibly also, as a temporary measure to make up the leeway caused by the severe restrictions placed on the grant of leave during the War. The estimated reserves and the date on which they have been worked out are of course subject to modification by Administrations in the light of local conditions. (Paragraph 427).

47. **Other facilities.**—Besides the provision of a suitable reserve, I have made a few other suggestions to enable the staff to enjoy leave due to them. (Paragraph 428):—

(1) Rules governing the issue of medical certificates to non-gazetted railway servants contained in Appendix VI of the State Railway Establishment Code 5, Volume I, and the procedure followed in their application should be reviewed with a view to minimising hardship to the staff on the one hand and the chances of abuse of sick leave on the other. Detailed suggestions to this end have been given in paragraph 428(1).

(2) There should be no embargo on the discretionary power of the competent authority to sanction short casual or other leave on applications sent by employees from their houses in circumstances of an unavoidable and unforeseen character.

(3) Power should be delegated to the senior Subordinate-in-Charge to grant short leaves so long as they do not require substitutes to be sent by a higher authority. Where such delegation is not desirable, they can be empowered to deal with urgent cases in anticipation of formal sanction.

(4) Posting of relieving staff should be decentralised as far as possible.

(5) As far as practicable, a record of leave applications with orders passed on them should be maintained and made available for inspection.

(6) Administrations should, if possible, arrange that urgent wires or, if permitted, messages on the control phone received in off-duty hours or on holidays, requesting leave and relief, are sent immediately to the authority empowered in this behalf, at his residence for timely action.

(7) Above all, the co-operation of the staff and the Administrations is essential to the proper working of any system of leave reserves. In the collective interest the staff must only ask for leave on genuine grounds, and be content during certain seasons to apply for leave in turn, giving precedence to really urgent cases and the Administrations on their part must take steps to ensure that the residuary power to refuse leave in the exigencies of the public service, is exercised by officers empowered to deal with leave applications, in a judicious manner.

433. **Plea for co-operation between Railway Administration, and Workmen.**—The improvements suggested aim at giving a fair deal to labour while bearing in mind the practical difficulties involved in the working of the Railways. Railways are now a national asset, and there is no question of making profit for the benefit of share-holders. They have a vital part to play in the economy of the country. The Administrations, as representing the general public, and the railwaymen are partners in a common enterprise and it should be the business of both to make it a success. It is as much the duty of the Administrations to look after the interests of the workers, their economic and social well-being, as it is the business of the workers to turn out an honest day's work in order to give full value for the wages they receive and to maintain a high sense of loyalty and discipline. These proposals involve a substantial addition to the burden on the tax-payers most of whom are users of the Railways, but I trust they will be accepted by both the Administrations and the Unions, in furtherance of an understanding that Government will give every possible consideration to the human requirements of the employees as essential units of a civilised society and that the employees on their part will pull their full weight and work in a spirit of loyal co-operation for the good of the country.

CHAPTER XXIII.—Acknowledgments.

434. In conclusion, it is with great pleasure that I acknowledge the assistance I have received from various quarters. First and foremost I must express my indebtedness to my Assessors, Mr. Chadwani and Prof. Humayun Kabir. I came to deal with the problems referred for adjudication as a complete stranger to the working of Railways—a very complex structure—and the burden and responsibility of this inquiry have been considerably lightened because of the guidance, advice and forbearance of both my Assessors. I could hardly have wished for a better team to work with. They have co-operated with me with cordiality, enthusiasm and a sense of loyalty that has made my task a pleasant one. Mr. Chandwani's continuous association has been a source of strength to me in this inquiry. His intimate knowledge of the working of the Railways, his capacity—nay passion—for hard work, his genuine anxiety for advancing real interests of labour while insisting on discipline and on doing an honest day's work, have been of very great assistance to me in formulating my recommendations. His help in the preparation of this report has been invaluable. Prof. Humayun Kabir's wide culture, his intimate acquaintance with the real feelings and aspirations of railway labour, his enlightened outlook and his readiness to harmonise theoretical considerations with practical difficulties have, in a large measure, contributed to my being able to present a unanimous report.

435. I also feel indebted to Mr. S. M. Hasan, Special Officer appointed by the Railway Board to co-ordinate the case of the nine Railway Administrations, for his ready and willing assistance throughout the inquiry. He was indefatigable in helping us to collect material, in making arrangement for the inquiry at various places and in arranging for conferences. He co-ordinated the case of the Railway Administrations and argued on their behalf at the close of the inquiry most admirably. His liberal views and wide experience were readily placed at our disposal. His ability and capacity for cross-examining witnesses evoked from the members of the Unions on the S. I. Railway, a tribute when they said "Our warmest thanks to Mr. Hasan whose clever cross-examination we will always remember with pride and pleasure".

436. I am afraid this Adjudication has entailed considerable spade work on the part of the Railway Administrations—particularly the Deputy General Managers and other Officers associated with this inquiry—and the Officials of the Unions. While the inquiry was in progress, I know they all had to work very late hours, with no Hours of Employment Regulations to protect them. All the witnesses—whether of the Railway Administrations, the Labour Department or the Unions—must also have been put to considerable inconvenience. All of them cheerfully bore the strain in the consciousness that they were doing so in a good cause. I feel profoundly grateful to them for all the trouble they took. The representatives of both the Administrations and the Unions showed remarkable capacity for adapting themselves to the procedure—admittedly somewhat informal—of the Court. The facility with which some of them cross-examined witnesses might have done credit even to experienced lawyers and left me with a feeling that they had missed their vocations. Mr. Khan and Mr. Mukerji were present during a large part of the inquiry and gave me the benefit of their advice. Mr. Guruswamy was unfortunately not able to be present during the inquiry. But his summing-up at the end was an admirable performance for one who was not acquainted with the details of the evidence.

437. The inquiry at all centres was on the whole conducted in an atmosphere of cordiality and good-will and my hope is that even after this Adjudication has ended that spirit of co-operation and understanding will continue.

438. In an inquiry of this kind, there is always difficulty—especially during these days—of finding suitable accommodation for office and the staff at different centres of the inquiry. In Bombay—which was made the headquarters for the inquiry—I was fortunate enough to obtain through the kindness of the Hon'ble

Mr. Mangaldas Pakwasa—the President of the Bombay Legislative Council—the use of the Legislative Council Hall and some part of the Council Offices. I know in affording this facility to us Mr. Pakwasa had to make other arrangements for the normal work of the Legislature and had even to deprive his Secretary of his office room. I feel very grateful to him for the cordiality and willingness with which he came to our assistance. The Central Provinces Government very kindly arranged for the use of the Assembly Offices at Nagpur, and at Lahore, Gorakhpur, Calcutta, Madras and Trichinopoly, the various Railway Administrations did every thing in their power to attend to our needs—both official and personal—for which my sincere thanks are due to them.

439. Lastly I have to thank my office staff. They have had to work hard and sometimes at very great pressure—particularly my very helpful and energetic Secretary, Mr. Easwaran, the Reporters, Messrs. Cycil and Kulkarni and my Personal Assistant, Mr. Chaubal. An inquiry of this nature held all over India requires considerable organisation and staff work so that its progress may be smooth and all of them did what was asked of them ungrudgingly and to my entire satisfaction. Mr. Easwaran's experience in this and the Postal Adjudication and the contacts he has made should prove of great value to the Labour Department. Mr. Jain managed the Head Office well during our absence on tour. During the course of the inquiry we felt the need of having with us an official having detailed knowledge of the working of Railways and of preparing rosters. To our good fortune we found such a man in Mr. Khubchand of the North Western Railway. His flair for drawing up rosters and his knowledge and capacity for hard work were outstanding and I am thankful to him for his assistance as well as to the N. W. Railway Administration for sparing his services.

G. S. RAJADHYAKSHA.

BOMBAY:

The 15th May 1947.

GIPD—S2—S4 M of L—19-7-48—1,500.

DL. 136
550

ADJUDICATION

BY

The Hon'ble Mr. Justice G. S. Rajadhyaksha, I.C.S.
(Bombay High Court)

LIBRARY OF THE BOMBAY BRANCH OF THE ROYAL ASIATIC SOCIETY

IN THE

TRADE DISPUTE BETWEEN THE POSTS AND TELEGRAPHS DEPARTMENT AND ITS NON-GAZETTED EMPLOYEES

(Directed by the Government of India under Rule 81-A of the Defence of India Rules)

Cx. R. 60.

PART I—REPORT

PART II—APPENDICES

JAIN BOOK AGENCY
Govt. Book Sellers
Connaught Place, New Delhi.
102059

PUBLISHED BY THE MANAGER OF PUBLICATIONS, DELHI.
PRINTED BY THE MANAGER GOVERNMENT OF INDIA PRESS, NEW DELHI
1946

Price Rs. 7 As. 12 or 12s. 6d.

TABLE OF CONTENTS

PART I

	PAGE
Chapter I.—Introduction	1
Chapter II.—Scope of the Inquiry	5
Chapter III.—History of the Scales of Pay in the Posts and Telegraphs Department	7
Chapter IV.—1931 Scales of pay	14
Chapter V.—Rise in the cost of living	29
Chapter VI.—Allowance sanctioned since 1939 and their effect in neutralising the rise in the cost of living	39
Chapter VII.—Present day cost of living	58
Chapter VIII.—"Standard Budgets" and the Evidence	66
Chapter IX.—Financial position of the Department	85
Chapter X.—Alternative methods of relief discussed	90
Chapter XI.—Relief Awarded	96
Chapter XII.—Memorandum filed by the Federation of the Post and Telegraph Unions	114
Chapter XIII.—Memorandum filed by the All India Postmen and Lower Grade (including Railway Mail Service) Staff Union	116
Chapter XIV.—Memoranda filed by the All India Telegraph Union and its Bombay Branch	119
Chapter XV.—Memorandum filed by the Telephone Workers' Union—District and Workshop—Bombay, Karachi and Ahmedabad	124
Chapter XVI.—Memorandum filed by Bombay Presidency Telegraph Workmen's Union	128
Chapter XVII.—Memoranda filed by other Unions	129
Chapter XVIII.—Other representations	132
Chapter XIX.—Acknowledgments	132

PART II

Appendices	135

PART I.—REPORT

CHAPTER I.—INTRODUCTION

By an order of the Government of India, No. LR 2 (28) dated the 5th of March 1946 under Rule 81A of the Defence of India Rules I was appointed Adjudicator to adjudicate upon the trade dispute between the Indian Posts and Telegraphs Department and its non-gazetted employees. The matter for adjudication was described as follows :

> " Whether, taking into consideration the various forms of relief already granted by the said Department to the said employees, such of the employees as are governed by the new scales of pay require any further relief pending the findings of the Post War Pay Commission and if so, the nature and extent of the relief required."

It was also directed that the adjudicating authority shall, so far as it is necessary for the purpose of adjudicating the said dispute, exercise such powers as are conferred on it and follow such procedure as is prescribed for the Board of Conciliation under the Trade Disputes Act, 1929 (VII of 1929) and the Trades Disputes (Central Rules, 1938), *vide* Appendix I. Particular mention was made in that order of the following eight unions which had served notices of strike : (1) the Indian Telegraph Association, Ltd., Calcutta ; (2) the All India Postal and R. M. S. Union, Delhi ; (3) The All India Telegraph Union, Calcutta ; (4) the Indian Posts and Telegraphs Union, Delhi ; (5) the All India Telegraph Workmen's Union, Lahore ; (6) the All India Postmen and Lower Grade (including R. M. S.) Staff Union, Bombay ; (7) the All India Telephone Revenue Union, Delhi ; and (8) the Federation of Post and Telegraph Unions, Calcutta.

2. I met the representatives of these unions and the representative of the Indian Posts and Telegraphs Department informally at New Delhi on the 26th of March 1946, and in consultation with them decided upon a tentative programme for the conduct of the proceedings. There was some discussion at this meeting as to the necessity for clarification of the terms of reference specially with regard to the basis on which the " further relief " mentioned in the terms of reference was to be determined. All the representatives agreed that no reference to Government was necessary as it was generally thought that what was referred to adjudication was the dispute between the unions and the Department with reference to the demands made by the unions and that the " further relief " should be determined with reference to those demands.

3. On the same day, *i.e.*, on the 26th of March 1946, notices were issued to the eight Unions requiring them to file their statements of demands on or before the 10th of April 1946. I also decided that as the dispute was between the Department on the one hand and its non-gazetted employees on the other, opportunity should be given to any other union or any individual employee of the Posts and Telegraphs Department who was not a member of any union, to file by the same date any statement of demands that they may have to make in this connection. A notification was accordingly published in the *Gazette of India*, the Departmental Circular of the Director General of Posts and Telegraphs, and nine leading English dailies of the country. Intimation was also sent to the under-mentioned six unions which, though not specified in the Government's order, had been, it was understood, recognised by the Department : (1) The All India R. M. S. Inspectors' Association, Ambala ; (2) The All India Postal and Telegraph (including R. M. S.) Administrative Offices Association, Bombay ; (3) the All India Postal Accounts Association, Calcutta ; (4) the Telephone Workers' Union, District and Workshop, Bombay ; (5) The Bombay Telephone Workers' Union ; (6) The Bombay Telegraph Workers' Union.

4. The eight unions mentioned in paragraph 1 above and two of the six unions (Nos. 2 and 4) mentioned in the last paragraph, filed written statements of demands by the prescribed date. Out of these ten, six including the Federation of Post and Telegraph Unions, submitted a joint statement and the remaining four, *viz.*, the All-India Postmen and Lower Grade (including R. M. S.) Staff Union, Bombay, the All-India Telegraph Union, Calcutta, the All India Postal and R. M. S. Union, Delhi and the Telephone Workers' Union, District and Workshop, Bombay, filed separate statements. In addition, statements of demands were received within the prescribed date from (1) the Bombay Posts and Telegraphs Muslim Association, (2) the Post and Telegraph Industrial Worker's Union, Calcutta, (3) the Bombay Presidency Telegraph Workmen's Union, Bombay, (4) the Tele-Communication Engineering Association (India), Punjab and N. W. F. Province Circle, (5) the Kashmir Postal Union, (6) the Telegraph Engineering Staff Union, Cawnpore, (7) the Bombay Branch of the Indian Telegraph Union, (8) the Simla Branch of the Indian Posts and Telegraphs Union, (9) the Multan Branch of the All-India Postal and R. M. S. Union, and (10) the Bengal and Assam Branch of the All-India Telegraph Workmen's Union and 21 individual employees of the Department. The important statements received are reproduced in Appendix II.

5. About 78 representations, largely from individual employees, were received after the prescribed date, and as such no action could be taken upon them. Most of them however related to personal grievances or to matters which were either raised by the unions in their memoranda or which had no direct bearing upon the adjudication.

6. Copies of all the statements of demands (including those from individual employees) received within the prescribed time were forwarded to the Director-General of Posts and Telegraphs as and when received. The Director General's replies were received on the 22nd of April 1946, and copies thereof were forwarded on the same date to all the unions concerned. The more important of these replies are reproduced in Appendix III. The Federation of Post and Telegraph Unions, the Telephone Workers' Union, District and Workshop, Bombay and the All-India Telegraph Union filed their rejoinders (Appendix IV) by the 2nd of May, 1946. The All India Postmen and Lower Grade (including R. M. S.) Staff Union filed two supplementary statements of their demands relating to Madras and Bengal and Assam, respectively, on the 10th and 13th of May when it was too late to take any notice of them.

7. The public sittings commenced at Simla on the 29th of April 1946. Although the replies of the Department to the memoranda of the various unions had already been despatched to them, some of the unions had received their copies only when their representatives were leaving for Simla and they asked for an adjournment to the 2nd of May so that they could have an opportunity of studying the replies. It was agreed on that date that on the 2nd of May the Federation of Post and Telegraph Unions should open their case and lead whatever evidence they wished to adduce in support of their demands. It was further agreed that after the Federation had finished their case, the All-India Postmen and Lower Grade (including R. M. S.) Staff Union, All India Telegraph Union and the Telephone Workers' Union, District and Workshops, Bombay, would open their case and lead such evidence as they wished to. After all this evidence was led, the Department was to be called upon to open its case and to adduce all the evidence that it wished to bring on record.

8. When we met on the 2nd of May as originally fixed, Mr. Dalvi, representing the All-India Postmen and Lower Grade (including the R. M. S.) Staff Union raised the question as to who should begin the proceedings. He conceded that it had been tacitly assumed in all previous adjudications that the unions must open the case ; but he argued that the present adjudication

had been forced upon the unions who had never asked for it, and therefore the Department which had forced the unions into that position should begin. Secondly, he contended that the Department which had all the facts and figures within its special knowledge should justify how the relief granted up till now was adequate so far as the employees on the new scales of pay were concerned. I decided that the unions should begin. The adjudication ordered by the Government of India was a result of a series of demands made by the unions ; some had been wholly or partially met and the case relating to additional relief to the employees on the revised scales of pay was referred to adjudication. Merely because the present adjudication was ordered without any such demand for relief to men on the new scales of pay coming from the unions, it did not alter the fact that the adjudication arose out of a grievance made by the unions that the new scales of pay were inadequate and the relief given so far was totally insufficient. They had therefore to substantiate that contention to the satisfaction of the Adjudicator. It was on this footing that after the preliminary meeting on the 26th of March, the unions were asked to submit, in the first instance, a statement of their claim to which the Department gave a reply, these documents being in the nature of a plaint and a written statement in a civil dispute. Even on the 29th of April when we met for the actual hearing it was agreed after some discussion that the Federation was to open the proceedings as being the most representative of all the claiming unions. Even then the discussion was confined to the consideration as to whether the Federation should begin first on the main demands or other unions should begin with respect to their subsidiary demands. But the general principle that it was the unions who had to begin was not disputed since it was in accordance with the accepted principles that the burden of proof lay on the party which would fail if no evidence was led. In all the arbitrations and conciliation proceedings and in the Industrial Court it is always the party making a claim that has to begin the proceedings. Mr. Dalvi had himself conceded that it was the tacit assumption in all adjudications that the unions should open the case ; and this tacit assumption, as he put it, had obviously sound basis in law and the principles of jurisprudence. I, therefore, saw no reason why the present proceedings should form an exception to the general rule.

9. It was then urged by Mr. Dalvi, and the point was stressed by Mr. Chatterjee of the All-India Telegraph Union, that the reference to adjudication was unnecessarily confined to the employees on the new scales of pay, and he urged that I should refer the matter to Government for widening the terms of reference so as to include within the scope of adjudication the case of the employees on the old scales of pay also. Mr. Chatterjee stressed this point with reference to the employees on the revised scales of pay introduced by the now defunct Telephone Companies. Mr. Dalvi referred to a statement of Sir Gurunath Bewoor in a letter dated 4th of March 1946 to the Director General of Posts and Telegraphs in which the Secretary to the Government of India, Posts and Air Department, stated : "Government have taken note of the fact that unions maintain that some additional relief to the men on the new scales of pay was necessary pending the findings of the Post-War Pay Commission." He emphasised that no such stand was taken by the unions and referred to the statement of claim submitted by the All India Postmen and Lower Grade (including R.M.S.) Staff Union in which the following statement occurs : "Sir Gurunath Bewoor's statement is intended to convey the suggestion that according to the unions no additional relief was necessary to the men on the old scales of pay. This union repudiates the latter suggestion and says that while the relief so far granted by the Department is not adequate to meet the enormous increase in the cost of living in the case of both old and new entrants, the new entrants are in greater need of relief." Dewan Chamanlal representing the Federation of Post and Telegraph Unions

drew my attention to sub-rule 3A of Rule 81A of the Defence of India Rules which says that "the Central Government may on its own motion or at the instance of any adjudicating authority add to or amend or vary the matter upon which adjudication is necessary."

10. I pointed out that the terms of reference were announced as long ago as the 4th of March, 1946. Since then the representatives of the unions had met me on the 26th of March and no question was raised then as regards the widening of the terms of reference. None of the unions in their written statement had asked me to move Government for widening the terms so as to include the case of employees other than those on the revised scales of pay of the Posts and Telegraphs Department introduced since 1931. Even when we met on the 29th of April, no such question was raised. It is true that sub-rule 3A gave power to the Adjudicator to ask Government to add to or vary the matters referred to adjudication ; but that sub-rule is; to my mind, to be understood as meaning that if the matter submitted to adjudication made discussion of matters outside the scope of the adjudication inevitable, then the Adjudicator could ask Government to add to or vary the terms of reference. That was however not the case here. In the present instance, I had only to consider the case of employees on the new scales of pay. It was purely a question for Government to decide whose case should or should not be referred to adjudication, and the Adjudicator could not take upon himself the responsibility for moving Government on a question which was clearly one of policy. If on the other hand, it was the desire of the unions that the terms of reference should be enlarged, it was up to them alone to move the Government in the matter.

11. After I gave my ruling on these two points, Dewan Chamanlal said that the unions wanted to review their position and to decide whether they should take any further part in the adjudication proceedings. For this purpose he asked for an adjournment, and I agreed to adjourn the proceedings till 11 A.M. on the 3rd of May 1946.

12. Later in the evening on the 2nd of May 1946, Mr. Lahiri Chaudhury and Dr. Noronha of the Federation of Post and Telegraph Unions informed me that the question of widening the terms of reference had been taken up and that they expected to get Government's reply by Monday the 6th. They therefore asked that the proceedings be adjourned till the 6th of May. I agreed as this meant not sitting for the purpose of adjudication only for one day *i.e.* the 3rd of May,—4th and 5th being Saturday and Sunday.

13. We accordingly met on the 6th of May. Dewan Chamanlal opened the case on behalf of the Federation without referring to the question of widening the terms of reference. The representatives of the Union of Posts and Telegraphs and R.M.S., Messrs. Talpade and Kamble, were present, and they associated themselves with the case as put forward by the Federation. In all 30 witnesses were examined on behalf of the Federation and the Union of Posts and Telegraphs and R.M.S. Mr. Dalvi then opened the case on behalf of the All-India Postmen and Lower Grade (including R.M.S.) Staff Union and examined 23 witnesses in support of his case. No other union examined any witnesses but Mr. Dalvi argued the case for the Telephone Workers' Union, District and Workshop, Bombay and also for the Bombay Presidency Telegraph Workmen's Union. Mr. Chatterjee presented the case of the All-India Telegraph Union. Thereafter the case for the Federation was summed up by Dr. Noronha and for the All-India Postmen and Lower Grade (including R.M.S.) Staff Union by Mr. Dalvi. Thereupon Mr. Sajnani, Assistant Director General of Posts and Telegraphs, replied on behalf of the Department and the adjudication proceedings terminated at Simla on the 17th of June. In all there were 31 sittings and 56 witnesses (including Mr. Deshpande on behalf of the Court) were examined. A complete list of witnesses is given in Appendix V.

CHAPTER II.—SCOPE AND NATURE OF THE INQUIRY

14. It is necessary, I think, that the precise scope and character of this inquiry should be made clear at the outset. By the very terms of reference my inquiry was of an interim nature. I have been asked to consider whether taking into consideration the various forms of relief already granted by the Posts and Telegraphs Department, such of the non-gazetted employees as are governed by the new scales of pay require any further relief pending the findings of the proposed Post-war Pay Commission, and if so, the nature and extent of the relief required. The whole pay structure of the Central Government, including the Posts and Telegraphs Department, will come under the review of the Post-war Pay Commission the personnel of which has already been announced and which will hold its inquiry in the immediate future. It will decide the structure of the wage scales and standards of remuneration of all the Central Government employees with the object of achieving rationalization, simplification and uniformity to the fullest degree possible taking a comprehensive view of the whole problem of wages in relation to the existing and prospective economic conditions. But my inquiry is essentially limited in character. I have before me the question of only one Department of the Central Government. I have to find out whether any immediate interim relief is needed in the case of the non-gazetted employees of the Posts and Telegraphs Department and that too only for the employees on the new scales of pay and if so what should be its nature and extent. I was informed when I was asked to take up this work that the inquiry would last for about two months. Within this time it was obviously impossible to hold an elaborate investigation and to come to any scientific conclusions. The employees are scattered all over India and serve as far away as Mekran coast and Persian Gulf. The bewildering comp'exity of the scales of pay for the employees in the different cadres varying according to groups of localities classified as A, B and C areas and sometimes even from place to place within the same group, suggest that the conditions of service cannot possibly be the same all over. It was impossible, even if I were competent to do so, to go all over India and to investigate on the spot the special circumstances governing each locality and to decide what relief the employees in those places needed. I have, therefore, had perforce to regard this inquiry as of a summary nature and to do the best I could with the material that was made available to me for this inquiry. I have made no attempt to formulate any principles on which an Award in a dispute of this nature should be given. The Report of the Krishna Prasada Committee which among other things, was asked to find the total income requirements of a family in order to maintain itself on a reasonable standard taking into account the local prices, house-rent and the present conditions of living has not been published. The Committee had also been asked to ascertain what increase there was in the cost of living for the staff. It is true that the inquiry was limited to Postmen and Lower Grade Staff principally of Bombay and Poona, but the Committee was also asked to indicate to what extent their findings were of general application. Even so, the findings of that Committee would have been of some assistance in this adjudication, had they been published. The Gregory Committee's Report on the principles which should be adopted in the grant of dearness allowance has also not yet been published. But I have been shown the courtesy of being allowed to see both the reports. Mr. Deshpande, Director of the Central Scheme for compiling cost of living index figures on a uniform basis for the working classes in India, has been good enough to give evidence before me in this case in his personal capacity. It has to be remembered, however, that his figures have not yet been examined by the Central Government and the basis on which they

have been compiled have not yet been accepted by some Provincial Governments. Mr. Subramaniam, Statistician of the office of the Economic Adviser to the Government of India, has been compiling certain data with respect to the cost of living of the middle class employees of the Central Government (except the Railways). His figures have not yet been examined by Government, but, through the courtesy of the Finance Department of the Government of India, I have been permitted to make use of his figures. The Posts and Telegraphs Department readily placed before me all the statistical material that was called for.

15. The unions, apart from leading oral evidence and arguing the case generally have not placed any other material before me to enable me to decide to what extent immediate relief is necessary. They have examined several witnesses coming from different parts of the country; the main theme of most of the witnesses being that the salary and allowances they were receiving were insufficient to balance their budgets. The conditions vary in different parts of the country and the value to be attached to each budget must necessarily depend upon the circumstances of the individual and the size of his family. For instance, I had three or four witnesses before me who came from very respectable families and before they joined the Department as clerks were used to a well-to-do family's standard of living; but when they accepted service as clerks, on what were known to be the conditions of service, they could hardly make any grouse of the fact that as clerks they could not maintain their old standard of living. The Department cannot obviously by offering service to them undertake to maintain them in the standard to which they were accustomed before they joined the Department. These budgets, therefore, could hardly be regarded as typical of the classes from which the witnesses came. In a large majority of cases, the budgets were no more than mere estimates of the expenditure the witnesses incurred in a particular month. Skeleton budget forms were printed and distributed to the witnesses after they came to Simla and were filled by them in most cases, from memory. No accounts were produced to authenticate the entries made in their budgets. Many witnesses showed enormous deficits every month and when called upon to explain as to how these deficits were met in the past without incurring debts to a corresponding extent, the answer in many cases was that their mothers-in-law sent money or took their families away in order to lessen the burden of expenditure on the employees themselves. It is some satisfaction that the mothers-in-law of the employees of the Posts and Telegraphs Department belie the generally accepted conception of the role played by mothers-in-law in the domestic life of a married couple. In other cases the items of expenditure in the budget were obviously inflated. One witness in explaining the items of expenditure on travel from Poona to Bagalkot said that on the journey in train during the night he drank 20 cups of tea and so did his wife. It is obviously impossible to accept such budgets and if the matter was to be decided only on the character of the evidence produced by the Federation and the unions it might well have been that the demand of the unions could not be sustained. But I conceive it is the duty of the Adjudicator in such a case to investigate things for himself and to make use of such material as is available for the purpose of the inquiry even though it is essentially of a summary nature. My conclusions, therefore, should be looked at in this light. They have been arrived at solely for this inquiry for the purpose of doing rough and ready justice with somewhat inadequate and unsatisfactory material. They are not scientific conclusions based on any detailed, or comprehensive study and need not be regarded as in any way prejudicing the decisions of the Post-war Pay Commission.

CHAPTER III.—HISTORY OF THE SCALES OF PAY IN THE POSTS AND TELEGRAPHS DEPARTMENT

16. The evolution of the scales of pay of the non-gazetted employees in the Posts and Telegraphs Department has had somewhat chequered history as is possibly the case in some other Departments also. Prior to 1920, the employees were divided into different cadres on a graded pay system. The possibility of promotion of officials in the lower grades depended almost entirely on the occurrence of vacancies in the higher grade and there was considerable general dissatisfaction amongst the staff of the Department even though the rates of pay of the various grades were revised as late as the 1st February, 1920. In 1920 a Committee presided over by Mr. H. N. Heseltine, C.I.E., was appointed "to enquire into the conditions of service of the non-gazetted supervisory, clerical, sorting, delivery and menial establishments employed in the Postal Branch and such subordinate establishments of the Telegraph Branch, including telephone staff, as have not been dealt with by the recent Telegraph Committee, with special reference to the rates of pay and allowances, the hours of duty, and the principles which have been laid for fixing the strength of staff". The Committee following the lead given by the Islington Commission in the case of the superior services, recommended the abolition of the graded system and its replacement by time-scales of pay, with a certain number of appointments in a selection grade remunerated on a more liberal scale. The scales of pay suggested by them, which varied from locality to locality, were arrived at after laborious investigation and were based generally on the recognition that the clerks in the Posts and Telegraphs Offices perform duties of a special kind. This is indicated by the following statement made by the Committee in their report:—

> "The conditions of service of Postal clerks differ very much from those of the ordinary clerks in the Government Office. Their hours of work are longer and much more irregular beginning in some cases at 5 A.M. and ending at 10 P.M. They get no holidays to speak of and have considerable pecuniary responsibilities. .....Conditions of work in the Post Office, long and irregular hours, night work, practically no holidays, are in themselves sufficient to cause the Department to be unattractive to the candidate for employment; but when to this is added a long term of probation on little or no pay there is no cause for surprise when men who can find any other work say 'no thank you' to the Postal Recruiting Officer."

17. At a meeting convened at Simla to discuss matters in connection with the pay of clerks and menial establishments by the Posts and Telegraphs Department, the Officers present observed:—

> "In the Postal Department the clerical service is unpopular and its duties are harder than those of ordinary clerical establishment."

18. In making his report on the Time Test, Sir Gurunath Bewoor stated as follows in paragraph 19 of his report:

> "It is necessary to point out here the peculiar conditions of work in Post Offices as distinct from the conditions of work in other offices. In an ordinary administrative office if the staff cannot finish the day's work, the unfinished work is left over for the next day. If the staff is really inadequate arrears accumulate and attention is pointedly drawn to the inadequacy of the staff when the accumulation of arrears becomes serious. In the

Post Office the accumulation of arrears to any extent is not possible. The day's mail must be delivered the same day and despatched on the same day. The accounts and abstracts must be adjusted the same day and returns to audit office must be sent on the due dates. The staff of Post Offices cannot leave office unless all this work is completed. If the staff is inadequate it must work beyond the fixed hours of duty and late into the night to finish the work. The other alternative is to ignore the rules and get through the work somehow or other but this latter method is likely to result in losses and mistakes, resulting in punishments and recovery of losses from the staff."

19. It is quite true that Sir Gurunath Bewoor's observations were made in connection with the question of the adequacy of the staff in Post Offices and not for the purpose of establishing a case for remunerating them at higher rates. But the general nature of the work of the clerks in the Post Offices remains as was described by Sir Gurunath Bewoor.

20. Very much the same position has been admitted with respect to the other important category of servants in the Posts and Telegraphs Department, namely, that of Postmen. With regard to them the Heseltine Committee stated as follows in their Report in 1920 :

> ".....the postman is drawn from a class distinctly superior to that of the ordinary menial, ... the postman to be qualified for his work must have some knowledge of the script of at least two languages, one being English ; that his duties involve considerable pecuniary responsibilities he is in fact in a small way a cashier, valuables and cash are entrusted to him, he has to render a daily account, to furnish security and to make good losses. That he is or ought to be a much better man than the ordinary Chaprasi, Mail Peon, Messenger or Parker is recognised by the status—that of a superior servant under the leave and pension rules—which has been conferred upon him. The efficiency of the Postal Service very largely depends upon the Postman ....."

21. The Standing Finance Committee in one of the Reports stated :

> "The postmen really are a sort of inferior clerks having regard to the qualifications and other monetary responsibilities."

Sir Geoffrey Clarke in his book "The story of the Post Office in India" at page 104 has observed : "good initial salary with prospects of promotion must be given to him".

22. This special nature of the work done by the Posts and Telegraphs staff has received recognition even recently in the sanction of the Good Conduct Pay as a special measure of relief to them. Sir Gurunath Bewoor, Secretary to the Government of India, Posts and Air Department, said in his letter to the Director-General, Posts and Telegraphs, No. A. 17-8/46, dated the 4th March 1946 :

> "Taking into consideration also the nature and conditions of work of the Posts and Telegraphs employees and as a special measure of relief for them Government have decided to increase the Good Conduct Pay, etc."

23. In recognition of the special nature of work done in Post and Telegraph Offices the Heseltine Committee put clerks in those offices on a par with clerks in Civil Account Offices. It would be seen from paragraph 8 at page 62 of the Heseltine Committee's report that the rates of pay recommended by

them for clerks were based on those sanctioned earlier in the year for clerks in Civil Account Offices. In accordance with the recommendations of the Committee, Government issued orders in 1921-22 and most of the staff were brought on to the time-scale of pay.

24. The rates of pay of clerks in the Civil Account and Currency Offices, however, underwent two general revisions since 1920 with the result that their pay was improved substantially over the rates sanctioned in 1920. But in the case of Postal Clerks all that was done since 1920 was to allow relatively small increases, particularly in expensive localities where the rates of 1920 were found to be wholly inadequate. This halting relief was considered inadequate by the non-gazetted employees of the Department and as pointed out by the Posts and Telegraphs Sub-Committee of the Retrenchment Advisory Committee presided over by Sir Cowasjee Jehangir, "the revision of pay announced in 1920-21 failed to keep the staff satisfied for any length of time and the question of amelioration of conditions of service of the staff was the subject of constant discussion in the Houses of Legislature. In February 1925, Mr. Bepin Chandra Pal moved a resolution in the Legislative Assembly for the appointment of a Committee of Enquiry into the grievances of the postal staff. On the Honourable Member for Industries and Labour agreeing to receive a deputation from the staff to represent and discuss their grievances, the consideration of the motion was adjourned. A deputation of the All-India Postal and Railway Mail Service Union waited on the Honourable Member in charge of Industries and Labour and the Director-General of Posts and Telegraphs in March 1925, and represented a large number of grievances. As a result of the detailed examination of the question that was undertaken, improvements began to be effected commencing with the year 1926-27 and they continued up to the year 1928-29."

25. The basis for the 1926 revision of scale of pay will be found in the Memorandum dated the 21st January 1926 of the Standing Finance Committee (see proceedings of the meetings of the Standing Finance Committee—Volume V No. I—II page 376):

"The result was that at stations where both classes of men were employed, the present rates of pay of Postal clerks were much below that of Civil Accounts Office clerks, and were even below that of the Currency Office clerks generally. Before the war the latter used to receive lower rates of pay than Postal clerks apparently in recognition of the fact that on the whole the duties of the latter were more arduous and responsible than those of the former, a matter which had already been referred to above. It might also be mentioned that the rates of pay of clerks in Military Accounts Offices, which before the war ranged between Rs. 25 and Rs. 100 had just been revised again and raised to Rs. 55—6—115—5—170—5—200 with various allowances. The rates of pay recommended by the Postal Committee of 1920 did not satisfy the Postal clerks who had generally suggested as suitable a pay of Rs. 50—5—100—10—200 with local allowances in Bombay and in certain other places. The All-India Postal and Railway Mail Service Union had since raised the demand to Rs. 60—5—110—10—200 with local allowances at all local Government's headquarters and various other stations. The grievance of the postal clerks had been intensified by the further increases in pay sanctioned in recent years for the Civil Account Offices, on whose rates of pay the recommendation of the Postal Committee of 1920 in regard to rates of pay of Postal clerks was, as stated in paragraph 2, based. It would, however, be seen from Appendix IV that the rates of pay demanded by the union were much in excess of those for clerks of the Central Government offices at certain stations, whose pre-war rates of pay were capable of comparison with the corresponding rates of Postal clerks. It was proposed to raise the pay of Postal clerks at certain stations to the rates given below which generally

speaking, were not less than the rates of pay for Currency Office clerks and not more than those of Civil Accounts clerks". Government then sanctioned the new scales of pay which were slightly altered with the consent of the Standing Finance Committee on 12th August 1926 and these scales of pay may for the purpose of the present enquiry be described as 1926 scales of pay. These scales will be found in Appendix VI of this report.

26. When the revision of pay scales was undertaken in 1926, there was only one cadre for clerks, and although the scales of pay for this cadre differed in the eight different circles and also at different places in the same circle based on the comparative costlines of the places, there was no distinction as between clerks and clerks and their work. In May 1928, however, the Department introduced a lower Division Cadre for clerks for the performance of duties of routine nature. As the Joint Secretary to the Government of India stated in his letter No. 158 P.T.E., dated the 16th May 1928 to the Director-General, Posts and Telegraphs, this lower Division Cadre was created with a view to reducing the cost of clerical work in the Post Office and Railway Mail Service and to improving the prospects of Postmen and Mailguards—for the performance of certain duties of a routine nature. Thus came into being, in addition to the existing multiplicity of time-scales for different circles and for different localities in the same circle, a parallel set of scales for the lower Division clerks. These scales are also shown in Appendix VI to this report. This decision of Government was implemented by the Director-General, Posts and Telegraphs Department, who introduced the Lower Division Cadre of clerks for work of a routine nature, demarcating the duties of the clerks in the two divisions, upper and lower, which were declared not interchangeable. The recruitment to this cadre was at first confined to Postmen and other lower grade staff and the total strength of the cadre was fixed at not less than 33⅓% of the whole clerical cadre. The procedure to be adopted in making appointments to the Lower Division Clerkships was explained by the Director-General, Posts and Telegraphs, in his letter No. S.A. 183/28, dated the 23rd December 1929 to the General Secretary, Indian Postmen and Lower Grade Staff Union. The appointments were to be filled by promotion from Postmen, Mailguards and Telegraph Messengers who had completed at least 5 years' permanent service. Candidates having the requisite service were to be subjected to a practical test of their knowledge of the work they would be required to perform. The test was to include a test of the candidates' knowledge of English but no dictation paper was necessary. The lower cadres of the Posts and Telegraphs staff such as Postmen, Mailguards and Telegraph Messengers could not, however, fill 33⅓% of the clerical cadre, with the result that recruitment was thrown open to outsiders so as to reach 33⅓% as early as possible.

27. The 1926-28 pay structure remained in force only for a short time. India, along with the rest of the world, came under the influence of the economic crisis of 1930—34 and Government undertook a detailed examination of the various spending Departments to find out where retrenchment could be effected without undue sacrifice of efficiency and appointed a Retrenchment Advisory Committee. As this period also coincided with economic depression and falling prices, the traffic of the Posts and Telegraphs Department was greatly affected and Government appointed a sub-Committee of the Retrenchment Committee, under the chairmanship of Sir Cowasjee Jehangir, to give special attention to the Posts and Telegraphs Department. This Committee therefore considered *inter alia* the question of reduction in the pay and allowances for future recruits to the Department. The Committee found that reduction in pay was uniformly opposed by various Associations of employees of the Posts and Telegraphs Department, who contended that there had been no appreciable fall in prices to justify any reduction in the scales of pay, some

of which had only recently been sanctioned by Government. The Associations also stressed the fact that the conditions of work in the Posts and Telegraphs Department were very different from those in other Departments, that hours of work were longer, holidays were fewer and the work was of such a character that it could not be allowed to fall into arrears. Whilst, therefore, the Committee noted the general fall in prices which had taken place as indicated by the fall in the index figures of the cost of living published in the Bombay Labour Gazette, they did not make any general recommendation on that ground. In making their, recommendations the Committee were guided generally by the following principle adopted by the Islington Commission in their report :—

> "Government should pay so much and only so much to their employees as is necessary to obtain recruits of the right stamp, and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service".

28. The Committee's recommendations made a departure from the 1926 pay structure in two respects :

1. Combination of graded pay and time scale systems for clerical cadre.
2. One uniform scale of pay for the whole of India supplemented by a suitable compensatory allowance.

29. With regard to the first point the Committee considered the respective advantages and disadvantages of remunerating the staff on a continuous time-scale and on a graded system and adopted a combination of both. The evidence before them was emphatic in asserting that the introduction of time-scales of pay throughout the Department had resulted in loss of efficiency as a certain number of men were content with doing the minimum amount of work required to ensure that their annual increments were not stopped. On the other hand, past experience had shown that a system in which every post or class of posts is placed in isolated grades unconnected with one another rendered the flow of promotion uneven and caused hardship and discontent. After careful consideration they came to the conclusion that the solution of the difficulty lay in finding a *via media* between the two. They therefore advocated the creation of a lower division clerks cadre in two grades, II and I, on a scale of Rs. 35—35—2—55 and Rs. 55—2—75 and an upper division cadre similarly divided carrying Rs. 40—40—4—80 and Rs. 84 - 4—120. Junior selection grade was given the scale of Rs. 135—8—215 and the senior selection grade, of Rs. 215—15—290.

30. With regard to the second point, the Committee found that clerks drew pay in different scales in the 8 circles and even within the same circle the scales differed in different localities. For instance, in the Bengal and Assam Circle the lower division clerks were on a scale of Rs. 50—5—100 in Calcutta and its vicinity and on a scale of Rs. 40—4—80 in the rest of the circle, the ordinary time-scale clerks were on a scale of Rs. 50—6—110—5—160 in Calcutta and its vicinity and on a scale of Rs. 40—5—140 in the rest of the circle. In the Bombay Circle the lower division clerks were on a scale of Rs. 60—4—100 in Bombay and its vicinity, on a scale of Rs. 50—4—90 in Poona and Ahmedabad, and on a scale of Rs. 40—4—80 in the rest of the Circle ; the ordinary time-scale clerks were on a scale of Rs. 60—5—160 in Bombay and its vicinity, of Rs. 50—5—150 in Poona and Ahmedabad and of Rs. 40—5—140 in the rest of Circle. In the Madras Circle the lower division clerks were on a scale of Rs. 40—5—90 in Madras, of Rs. 40—4—80 in Madura, Bengalore, Hyderabad (Deccan) and Dhanushkodi and of Rs. 35—4—75 in the rest of Circle ; the ordinary time-scale clerks were on a scale of Rs. 40—6—160 —5—150 in Madras, of Rs. 40—5—140 in Madura, Bangalore, Hyderabad (Deccan) and Dhanushkodi and of Rs. 35—5—135 in the rest of the Circle.

In the view of the Committee the system was defective in its inception inasmuch as the so-called rates of basic pay included a certain amount which was obviously of the nature of a compensatory allowance. In their opinion there should have been one uniform scale of pay applicable throughout India and Burma supplemented by a suitable compensatory allowance so that such transfers as had to be made in the interests of work could be carried out without hardship to the employee on the one hand and waste of public funds on the other. They therefore recommended in addition to the uniform rates of pay the grant of compensatory allowances for clerks to cover the extra cost of living at the following places at the rates mentioned against each :

	Rs. per mensem.
(*i*) Rangoon	30
(*ii*) Bombay, Calcutta, Aden, Quetta and all offices in Baluchistan .	20
(*iii*) Karachi, offices on the Persian Gulf and the Mekran Coast and all places in Burma, except Rangoon.	15
(*iv*) Poona, Ahmedabad, Delhi, Lahore and Madras . . .	10
(*v*) Amritsar, Rawalpindi, Peshawar, Agra, Cawnpore, Lucknow, Meerut, Allahabad, Benares, Hyderabad (Deccan), Abbottabad and Simla.	7

31. So far as the Postmen, Village Postmen, Mailguards and departmental Stamp Vendors in post offices other than at Calcutta, Bombay, Madras and Rangoon were concerned, they were of the opinion that the balance of convenience lay in not adopting a uniform scale of pay all over India having regard to such factors as the mobility of labour, the recruiting market and the class of employees, etc. to be recruited. They, therefore, advocated the retention of the different scales of pay in the five groups of localities all over India. But as a measure of retrenchment they suggested that in the group of localities in which the scale of pay was Rs. 30—1—50 the scale for the future recruit should be Rs. 27—1—45 ; in the group in which the scale of pay was Rs. 25—1—45 the scale for future entrant should be Rs. 22—1—40 ; in the group in which the scale of pay was Rs. 23—1—43 the scale for future entrant should be Rs. 21—1—39 ; in the group in which the scale of pay was Rs. 20—1—40 the scale for future entrant should be Rs. 18—1—36 and in the group in which the scale of pay was Rs. 18—1—38 the scale of pay for future entrant should be Rs. 16—1—34.

32. So far as the Telegraphists were concerned they advocated the abolition of General Service (Scale Rs. 80—5—100—10—250), Local Service (Scale Rs. 55—5—120—10—180) and Station Service (Different scales for different localities—Bombay and Calcutta scale being Rs. 80—5—170) and proposed a Circle Service for all Telegaphists on a basic pay of Rs. 55—5—145 with a compensatory allowance on exactly the same scale as that proposed for the staff on the clerical rates of pay. On the same principles they proposed a uniform cadre for Telegraph Masters on a basic pay of Rs. 170—10—220 applicable throughout India and Burma. In addition they recommended that the Telegraph Masters should receive a compensatory allowance in special localities and in particular areas based on the compensatory allowances granted by the local Government to their staff of corresponding status in pay, if Telegraph Masters were entitled to such compensatory allowance in 1931. If Telegraph Masters were stationed in Calcutta, Bombay, Madras, Karachi or Rangoon they suggested that the compensatory allowance should be increased by Rs. 20.

33. For the Engineering Supervisors among whom those recruited prior to 18th April 1927 were on a pay of Rs. 80—5—100—10—250—20—350 *plus* a special pay of Rs. 40, subject to a maximum of Rs. 350 and those recruited after the 18th April 1927 were on a pay of Rs. 120—5—140—10—290—20—350, they suggested a scale of Rs. 110—5—140—10—280—20—300 for future recruits.

34. In the case of Line Inspectors and Sub-Inspectors they suggested a very slight alteration in the existing scale of pay for the purpose of future recruits.

35. In the case of Linemen and Lineriders, they were of the opinion that no reduction should be made in the scales of pay admissible to them.

36. In the case of Jemadars and allied classes they suggested that the existing scale of pay of Rs. 30—1—35 should be replaced by the scale of Rs. 27—1—30 for future recruits. They found that there were 7 other scales in existence in different localities and they recommended a slight reduction in each of them.

37. In the case of Duftries and allied classes also they suggested that in the case of future recruits the scale of Rs. 30—1—40 should be replaced by one of Rs. 27—1—36. They found five other scales in existence and they recommended a slight reduction in each of them.

38. In the case of Runners they suggested no alteration in the 4 existing scales of pay.

39. For the Taskwork peons they suggested no alteration in the basic rates of pay, but considered that the rate of remuneration for delivery of telegraph messages was capable of reduction by an amount not exceeding 10%.

40. In the case of Boy Messengers they found that there were in existence 8 different scales of pay in different localities. They recommended slight reduction in each scale. For example the scale of Rs. 18—½—20 was proposed to be reduced to Rs. 16—½—18.

41. For other inferior servants they suggested a small reduction in the existing scales of pay.

42. While the recommendations of Sir Cowasjee Jehangir Committee were under consideration, Government imposed a cut on the salaries of all Government servants in order to meet the deficit in their budgets. This cut affected all the employees in the Posts and Telegraphs. The Government of India exempted from the operation of this cut officials getting a salary of Rs. 30 per month or less in all Departments except the Railways and the Posts and Telegraphs.

43. The reasons for not exempting the employees of the Posts and Telegraphs Department drawing Rs. 30 per mensem or less from this emergency cut was stated as follows in the Director-General's Circular letter No. 36, dated the 21st December 1931 :

> " In this Department the expenditure must be as nearly as possible in economic relation to the receipts. It has, therefore, not been possible to extend to the lower paid staff of this department the same immunity from the cuts which had been extended to other Departments. "

44. The following was the extent of cuts in the pay of Posts and Telegraphs employees :

With effect from 1st December, 1931 :

(*a*) Salary not exceeding Rs. 30 p.m.	½ anna in a rupee.
(*b*) Salary exceeding Rs. 30 but not exceeding Rs. 83-5-4 p.m.	1 anna in a rupee.
(*c*) Salary exceeding Rs. 83-5-4 p.m.	10 per cent.

This cut continued till 31st March 1934. With effect from 1st April 1934 the cuts were as follows :—

(*a*) Salary not exceeding Rs. 30 p.m.	¼ anna in a rupee.
(*b*) Salary exceeding Rs. 30 but not exceeding Rs. 83-5-4 p.m.	½ anna in a rupee.
(*c*) Salary exceeding Rs. 83-5-4 p.m.	5 per cent.

This emergency cut was finally withdrawn from the 1st April 1935.

45. Government did not accept the recommendations of the Sir Cowasjee Jehangir Committee but issued revised rates of pay in 1935. These scales were made applicable to all employees who entered service after the 16th of July 1931, and had been warned, while the recommendations of the Cowasjee Jehangir Committee were under consideration, that their scales of pay were likely to be revised. The 1935 scales of pay are shown in Appendix VI to this report. The pay of all those who were recruited after the 16th July 1931 on the pre-1931 scales of pay was re-fixed in the new scales. The amount of pay drawn by the employees in excess of what was due to them under the new scales, to which retrospective effect was given from 16th July 1931, was not, however, recovered from the employees.

CHAPTER IV.—1931 SCALES OF PAY

46. As stated in the preceding Chapter, prior to 1931 the scales of pay in force were those as last revised in 1927-28.

47. The general complaint with regard to the 1931 scales of pay has been that when they were prescribed in 1935 no enquiry was made in order to determine what was the proper scale of wages for the different classes of employees in the Department, having regard to the fact that the cost of living was going down. In a large number of cases the new scales of pay were even worse than those recommended by the Sub-Committee over which Sir Cowasjee Jehangir presided. For example, the Head Postmen and the allied classes in Bombay were, prior to 1931, on a scale of Rs. 60—4—100. For them, Sir Cowasjee Jehangir Committee recommended a junior scale of Rs. 35—2—55 and a senior scale of Rs. 55—2—75 with a compensatory allowance of Rs. 20 p.m., but Government adopted a scale of Rs. 35—2—55 with a compensatory allowance of Rs. 5 only. For postmen the Committee recommended the replacement of the scale of Rs. 30—1—50 by a scale of Rs. 27—1—45 for Bombay, Aden, Poona and Ahmedabad and its vicinity ; the scale actually sanctioned for Bombay was Rs. 24—½—34 and for Poona and Ahmedabad Rs. 22—½—32. In the case of Linemen the Committee did not recommend any reduction in the scale of Rs. 20—1—40 *plus* a compensatory allowance of Rs. 10 at Bombay, Ahmedabad and Poona. Government however reduced the old scale to Rs. 24—½—34 with a compensatory allowance of Rs. 5 for Bombay City only. In the case of Duftries the old scale was Rs. 30—1—40 and the Committee had recommended a scale of Rs. 27—1—36 ; but the new scale sanctioned by Government was Rs. 20—½—28 *plus* a compensatory allowance of Rs. 5 for Bombay, Rs. 18—½—26 for Poona and Ahmedabad and Rs. 16—½—24 for other stations in Bombay Circle.

48. Another complaint in connection with the 1931 scales is that their introduction has resulted in men drawn from the same strata of society and with almost equal or sometimes with better qualifications sitting side by side, doing the same work but receiving different emoluments. This differentiation has in fact been the standing grievance of all the unions and associations of the employees of the Posts and Telegraphs Department who have agitated for the abolition of the new scales of pay. Appendix VII shows men on the old and the new scales of pay in each category of the staff of the Posts and Telegraphs Department. The table below shows the main categories where the

number of employees is 500 or more and in whose case I propose to examine, for the purpose of this adjudication, the implications of the current scales of pay :—

[*Note.*—Sections as given in Schedule I (Pages 77—80) of the Manual of Appointments and Allowances of the Officers of the Posts and Telegraphs Department.]

Sections		*Old Entrants*	*New Entrants*
I	*Clerks in Circle Offices, etc.*		
	Division I	608	1,007
	Division II	33	558
III	*All other Offices—*		
	(*a*) Selection Grades	1,633	313
	(*b*) Clerks, Sorters, Sub-Postmasters, Town Inspectors of Post Offices, Accountants, Telephone Operators, Telephone Inspectors, Time-keepers, and Overseers in charge of building work	17,947	23,820
IV	Head Postmen, Departmental Branch Postmasters, Mail and Cash Overseers, Overseer Postmen, Readers or Sorting Postmen, Inspectors of Peons and Departmental Stamp Vendors in Presidency Towns	2,077	552
V	Postmen, Village Postmen, Mailguards, Linemen, Line-riders, Departmental Stamp Vendors at places other than Presidency towns, Shroffs and Bill Sircars	20,240	18,075
VIII	Wireless Operators	34	537
IX	Engineering Supervisors, Telephone Supervisors, Electrical Supervisors, Wireless Supervisors and Cable Supervisors	181	575
X	Telegraphist	1,280	2,082
XIII	(*a*) Mistries, Electric Mistries, Cable Jointers, Engine Drivers, Assistant Engine Drivers, Head Carpenters, Head Bicycle Mistries, Motor Drivers and Serangs	325	1,285
	(*b*) Carpenters, Painters, Bicycle Mistries, Assistant Mistries and Motor Men	11	154
XV	Runners	7,170	4,622
XVII	Boy Peons, Boy Messengers and Boy Farashes	201	2,055
XVIII	(*a*) Packers, Porters, Chowkidars, Hamals, Office Peons, etc.	7,042	12,889
	(*b*) Task Work Messengers	610	741

49. I shall first deal with the most important category *viz.*, the clerks. A scrutiny of the 1926 scales of pay indicates that there was no differentiation between Circle Office Clerks and Clerks working in Post Offices and other offices of the Posts and Telegraphs Department. All Clerks were on the same scale of pay, which however varied in different localities according to the cost of living of those localities.

50. The scales of pay for Clerks in Circle Offices before and after 1931 were as follows :—

Localities	Old Scales of Pay	Average Cost	New Scales of Pay	Average Cost
	Rs.	Rs. A. P.	Rs.	Rs. A. P.
Bombay	60—5—160	115 0 0	50—5—150	99 11 0
Calcutta	50—6—110—5—160.	104 10 0		
Karachi	50—5—150	104 4 0		
Lucknow	45—5—145	100 8 0	45—5—145	96 0 0
Lahore				
Madras	40—6—100—5—150.	100 8 0	45—5—145	96 0 0
Nagpur	40—5—140	93 7 0	45—5—145	96 0 0
Patna			45—5—145	96 0 0
Jubbulpore			40—5—140	93 7 0

Lower Division in Circle Offices

Localities	Old Scales of Pay	Average Cost	New Scales of Pay	Average Cost
	Rs.	Rs. A. P.	Rs.	Rs. A. P.
Bombay	60—4—100	87 4 0	45—2—65—3—95.	72 8 0
Calcutta	50—5—100	85 9 0	45—2—65—3—95.	72 8 0
Karachi	50—4—90	77 4 0	45—2—65—3—95.	72 8 0
Lahore	45—4—85	72 14 0	40—2—60—3—90.	66 12 0
Lucknow				
Madras	40—5—90	71 15 0	40—2—60—3—90.	66 12 0
Nagpur	40—4—80	67 4 0	40—2—60—3—90.	66 12 0
Patna				
Jubbulpore	40—4—80	67 4 0	35—2—55—3—85.	66 12 0

51. It would be noticed that so far as the Upper Division clerks in the Circle Offices were concerned there was practically no reduction in the scales of pay. In fact in the case of Nagpur and Patna, the new scales were even slightly better as the starting pay became Rs. 45 in place of Rs. 40. In the case of Madras also the starting pay was increased by Rs. 5 though the annual increment was reduced from Rs. 6 to Rs. 5. But the reduction was considerable

in the Lower Division. In Bombay the initial salary was reduced from Rs. 60 p.m. to Rs. 45 p.m. The annual increments were reduced from Rs. 4 to Rs. 2 in every centre except Calcutta and Madras. In the case of Calcutta and Madras the reduction was even greater, *i.e.*, from Rs. 5 to Rs. 2.

52. The position so far as clerks, other than Circle Office clerks, were concerned was that the cuts were more drastic as would be seen from the following table for Bombay :

	Old Scale	New Scale
	Rs.	Rs.
Circle Office		
Upper Division . .	60—5—160 . .	50—5—150 (1st Division) } *plus* Rs. 5 as Compensatory Allowance.
Lower Division . .	60—4—100 . .	45—2—65—3—95 (2nd Division). }
Post Office		
Upper Division . .	60—5—160 .	Continuous scale 45—45—3—90—95—5—120
Lower Division . .	60—4—100 .	Second Grade First Grade *Plus* Rs. 5 as Compensatory Allowance.

There were variations in the scales of pay at other places, but the extent of the cut was more or less the same.

53. There was no direct recruitment to the First Grade, but it was meant to be promotion cadre for Second Grade men, when vacancies arose in that grade. The proportion of men in First and Second Grades was fixed at 50 : 50 and only recently the insistence on the percentage has been done away with and the two scales made into a continuous scale.

54. The preceding paragraphs show that till 1931, no distinction existed between Circle Office Clerks and Post Office Clerks. This was presumably based on the recognition that while the Circle Office Clerks had to do duties demanding higher intelligence and ability, the Clerks in Post and Telegraph Offices had direct dealings with the public and had to shoulder not inconsiderable monetary responsibilities. Both these classes of clerks were accordingly placed on a par.

55. When the revision of the scales took place in 1931, two separate sets of scales were prescribed for clerks in Circle Offices and for clerks in other offices. It might at first sight appear that the new First Grade Scale for clerks in the Post Offices, *viz.*, of Rs. 95—5—120 was far better than the old Upper Division Scale of Rs. 60—5—160. But it would be wrong to make such a comparison because the two cadres are in no sense comparable. There was no direct recruitment to the First Grade. That Grade was actually a promotion cadre for men in the Second Grade as and when vacancies arose in the First Grade. None of the Second Grade Clerks has so far reached that Grade. The reason was that the strength of the two cadres was fixed in the ratio of 50 : 50 and all those on the old scales of pay were merged in the newly constituted First and Second Grades though they were allowed to retain their old scales of pay. As the Second Grade cadre was a new creation, the strength in the First Grade was very much higher than in the Second Grade, and in order to reach the ratio as early as possible, recruitment to the First Grade was suspended. All fresh recruitment was therefore limited to the second Grade. The First Division cadre of clerk in Circle Offices received in 1931 a pay scale of Rs. 50—5—150 and the continuous grade of clerks in other offices received a pay scale of Rs. 45—45—3—90—5—120. The percentage reduction in the case of Upper

Division Clerks (newly described as First Division) in the Circle Offices was about 9% while that in other Offices was about 25%.

56. It may perhaps be argued that in making a comparison one should compare the new scales of the Lower Division of the Circle Offices with those of the Lower Division in the Post Offices. If such a comparison is made, the reduction in the scale of pay of clerks in the Second Division of the Circle Offices would appear to be of the same order as—perhaps even more severe than—in the scale of pay of the Second Grade clerks in Post Offices. In order to realise the fallacy in making such a comparison, it is necessary to understand the precise circumstances under which the Lower Division Cadre was created in 1928 and the effect of the changes brought about in 1935. As stated in the last Chapter the cadre of Lower Division of clerks was created in 1928 with a double object in view. It was intended to provide a new avenue of promotion to postmen and the lower grade staff who had completed 5 years' permanent service. It was also hoped, by this measure, to provide a cheaper clerical agency for doing purely routine work. The lower division strength was fixed at not less than 33% of the total clerical cadre. It was on this basis *viz.* Postmen and Inferior Staff providing clerks for doing purely routine work, that the scale of pay Rs. 60—4—100 was prescribed for the Lower Grade. These orders were applicable both to the Circle Offices and to the Post Offices. If this position had continued after 1931 and if the scales of pay had been correspondingly reduced in both offices the comparison suggested above might not have been unfair. But there was a vital change in the position in 1931. The Second Division staff in the Circle Offices continued to do work of a routine nature, and the more responsible work was done by the First Division clerks (appointed either directly or by promotion from the Second Division) on a higher scale of pay. But in the Post Offices the position was very different. The Postmen and the lower grade staff could not provide sufficient material for recruitment to the Lower Division of clerks (which was renamed as Second Grade in 1931) and it had to be thrown open to outsiders. Secondly it was found that the experiment of dividing work into two watertight compartments in Post Offices was unworkable. The reason was that clerks had to be shifted from branch to branch and although they did routine work for some time, they had to be rotated with clerks doing more responsible work at other times. The duties of the two cadres were therefore made interchangeable but the men continued to draw their own scale of pay. As stated in the last paragraph there was no direct recruitments to the First Grade which was originally intended for clerks doing responsible work. That cadre became a promotion cadre for the Second Grade clerks and all new recruitment was confined to the Second Grade. The result was that the Second Grade Clerks were called upon to do exactly the same duties as the First Grade Clerks but got the lower scale of pay which was fixed for less responsible type of duties, to be performed by a promoted postmen or a lower grade employee. Thus the Second Grade Clerks found themselves in the unenviable position of having to receive remuneration on a scale of pay intended for employees doing routine kind of work but having to shoulder responsibilities as great as the First Grade Clerks, although on occasions they had to do routine duties also. The fact that their scale of pay was that designed for clerks doing routine work will be shown by a comparison of their scale with those of Typists and Lower Division Clerks doing purely routine work in other Departments of the Government of India. It would therefore not be altogether right to compare the scale of pay of the Second Division Clerks in the Circle Offices doing more or less routine duties with that of the 2nd Grade clerks in the Post Offices doing duties of a responsible nature. From these circumstances two conclusions follow :—

(1) The new scale (now continuous) for Second Grade of clerks in Post Offices, namely, Rs. 45—45—3—90—5—120 in Bombay meant

in effect, a reduction from the old Upper Division scale of Rs. 60—5—160 meant for clerks doing equally responsible work, *i.e.*, a reduction of 25 per cent. The initial pay was reduced from Rs. 60 to Rs. 45, the annual increment was reduced from Rs. 5 to Rs. 3 and even with a continuous scale, in the First Grade the maximum was reduced from Rs. 160 to 120.

(2) When a comparison is to be made between the clerks of this Department (other than Circle Office clerks) whether of First or Second Grade and the Clerks of other Departments, it must be made with clerks of other Departments in the cadres doing responsible and not merely routine work.

57. I produce below a comparative statement showing the old and the new scales of pay of comparable categories of clerks in the Posts and Telegraphs Department and in other Departments, prepared on the above basis :—

Upper Division Clerks

STATION Department or office	Old scale	Average *	New Scale	Average *	Percentage reduction
1	2	3	4	5	6
BOMBAY					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	60—5—160	110	50—5—150	100	9
Posts and Telegraphs Department—other Offices.	60—5—160	110	†45—45—3—90—5—120.	83	25
Accountant General's Office—Clerks.	60—8—140—6—230.	145	50—4—110—5—160—160—5—180.	115	21
Customs Department—Upper Divisions Clerks.	110—5—230	170	80—80—5—150—10—200.	140	18
Income Tax Department—Senior Clerks.	125—10—225	175	130—15/2—175	153	13
Indian Stores Department—Senior Clerks.	110—10—230	170	80—5—150—10—200.	140	18
CALCUTTA					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	50—6—110—5—160.	105	50—5—150	100	5
Posts and Telegraphs Department—Other Offices.	50—6—110—5—160.	105	†45—45—3—90—5—120.	83	21
Accountant General's Office—Clerks.	60—8—140—6—230.	145	50—4—110—5—160—160—5—180.	115	21
Customs Department—Upper Division Clerks.	80—80—100—5—150—10—200.	140	80—80—5—180	130	7

* Half the sum of the minimum and maximum.

† There is no Upper Division now, this is a combined cadre.

1	2	3*	4	*5	6
Income Tax Department—Assistants.	125—10—225 .	175	130—5—155 .	143	18
Indian Stores Department—Clerks (higher Grade).	75—5—150 .	113	80—5—150 .	115	2
Survey of India—First Division Clerks.	130—10—300 .	215	120—10—250 .	185	14
Botanical Survey of India—Upper Division Clerks.	75—5—125—5—150.	113	80—5—150 .	115	+2
Department of Commercial Intelligence and Statistics—Upper Division Clerks.	100—100—10—300.	200	100—5—150—10—250.	175	13
MADRAS					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	40—6—100—5 150.	95	45—5—145 .	95	*Nil.*
Posts and Telegraphs Department—Other Offices.	40—6—100—5—150.	95	40†—40—3——85—5—115.	78	18
Accountant General's Office—Clerks.	40—7—75—6—135—5—175.	108	45—3—75—5—135—135—5—155.	100	7
Income Tax Department—Clerks (higher grade).	80—4—120 .	100	70—5/2—85—7½/2—100.	85	15
Customs Department—Upper Division Clerks.	70—3—85—4—125.	98	55—5/2—75—7½/2—100.	78	20
Indian Stores Department—Senior Clerks.	65—4—125 .	95	60—3—75—4—115.	88	7
LAHORE					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	45—5—145 .	95	45—5—145 .	95	*Nil.*
Posts and Telegraphs Department—Other Offices.	45—5—145 .	95	†40—40—3—85—5—115.	78	18
Accountant General's Office—Clerks.	50—6—140—5—200.	125	45—5—75—5—145—145—5——165.	105	16
Income Tax Department—Head Clerks and Head Assistants.	80—4—100—5—125.	103	80—4—120 .	100	3

* Half the sum of the minimum and maximum.

† There is no Upper Division now, this is a combined cadre.

1	2	*3	4	*5	6
Indian Stores Department—Clerks (higher grade).	80—5—130 .	105	60—4—120 .	90	14
LUCKNOW					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	45—5—145 .	95	45—5—145 .	95	*Nil.*
Posts and Telegraphs Department—Other Offices	Do.	95	†40—40—3—85—5—115.	78	18
‖Accountant General's Office—Clerks.	50—6—140—5—200.	125	45—3—75—5—145—145—5—165.	105	16
Income Tax Department—Senior Clerks.	80—4—100 .	90	80—4—100 .	90	*Nil.*
‡Indian Stores Department—Senior Clerks.	80—5—130 .	105	60—4—120 .	90	14
PATNA					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	40—5—140 .	90	45—5—145 .	95	+6
Posts and Telegraphs Department—Other Offices.	40—5—140 .	90	†40—40—3—85—5—115.	78	13
Accountant General's Office—Clerks.	55—5—60—6—150—5—200.	128	45—3—75—5—150—150—5—170	108	16
Income Tax Department—Assistants Head Clerks.	80—4—100 .	90	80—4—100 .	90	*Nil.*
NAGPUR					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	40—5—140 .	90	45—5—145 .	95	+6
Posts and Telegraphs Department—Other Offices.	40—5—140 .	90	†40—40—3—85—5—115.	78	13
Accountant General's Office—Clerks.	40—8—120—5—200.	120	45—3—75—5—145—145—5—165.	105	13
Income Tax Department—§Selection Grades.	80—5—100 .	90	80—4—100 .	90	*Nil.*

* Half the sum of the minimum and maximum.
† There is no Upper Division now, this is a combined cadre.
‡ Cawnpore.
§ Lowest of three selection grades.
‖ Allahabad.

1	2	*3	4	*5	6
SHILLONG					
Posts and Telegraphs Department—Circle Office Upper Division Clerks.	...	...	...	...	...
Posts and Telegraphs Department— Other Offices.	40—5—140	90	40—40—3—85—5—115.	78	13
Accountant General's Office (Controller)—Clerks.	60—7—130—6—220.	140	**55—4—115—5—160—160—5—180.	118	16
Income Tax Department—Upper Division Clerks.	140—5—165—10—225.	183	135—5—160—10—200.	168	8

* Half the sum of the minimum and maximum.

** There is no Upper Division now, this is a combined cadre.

58. It will be noticed that the reduction in the new scales of pay is probably the highest in the case of clerks in Post Offices than in any other Department. Secondly the absolute scales of pay of clerks in comparable categories are lower in this Department than in any other Department of the Government of India. Lastly, the maximum of the scale of pay of clerks in the Posts and Telegraphs Department is somewhat lower than the maximum of the scales of pay of comparable categories of clerks in other Departments.

59. So far as the Selection Grades are concerned there were prior to 1931 two Grades, Junior and Senior. After 1931 the scales of the Selection Grades were also reduced as follows :—

——		Old Scale	Average Cost	New Scale	Average Cost	Percentage reduction
1		2	3	4	5	6
Junior Grade.	Selection	Rs. 160—10—250	Rs. 208-2	Rs. 160—6—190 in Circle & Administrative Offices.	Rs. 181	13
				130—6—180 in other Offices.	168	22
Senior Grade.	Selection	250—20—350	304	200—10—250	227	25

60. I have so far dealt with clerks. Coming to the other categories the position is as follows :—

Varying scales according to locality 1	Old Scale 2	Average Cost 3	New Scale 4	Average Cost 5	Percentage reduction 6
	Rs.	Rs. A.	Rs.	Rs. A.	
Category IV.—(a) Overseer Postmen, Head Postmen, Sorting Postmen, Reader Postmen and Departmental Branch Postmasters					
Highest in Bombay.	60—4—100	87 4	35—2—55	48 7	45
Lowest in 'C' areas in Bihar, Orissa, etc.	35—4—75	62 4	35—2—55	48 7	22
(b) Departmental Stamp Vendors (Bombay, Madras and Calcutta).					
Bombay	60—4—100	87 4	35—2—55	48 7	45
Lowest in Madras	40—5—90	71 15	35—2—55	48 7	33
(c) Inspectors of Peons at the Larger Telegraph Offices					
Bombay	60—5—160	115 0	35—2—55	48 7	58
Lowest in Madras	40—6—100—5—150.	100 8	35—2—55	48 7	52
Category V—(a) Postmen, Village Postmen, Mailguards, Departmental Stamp Vendors					
Group A	30—1—50	41 0	24—½—34	29 8	28
Group B	23—1—43	33 5	22—½—32	27 6	18
Group C	20—1—40	30 8	18—½—23	23 7	23
(b) Linemen and Line Riders					
Group A	20—1—40	30 8	24—½—34	29 8	3½
Group B	18—1—38	28 11	22—½—32	27 6	6½
Group C	18—1—38	28 11	18—½—28	23 7	17½
(c) Bill Sircars and Shroffs					
Group A	50—4—90 60—4—100	77 14 87 4	24—½—34 24—½—34	29 8 29 8	62 65
Group B	45—4—85	72 14	22—½—32	27 6	62
Group C	40—4—80	67 4	18—½—28	23 7	66
Category VIII—Wireless Operators					
	80—5—100—10—250.	175 1	60—5—150	114 3	35

1	2	3	4	5	6
	Rs.	Rs. A.	Rs.	Rs. A.	
Category IX.—Engineering, Telephone, Electrical Wireless and Cable Supervisors					
	120—5—140—10—290—20—350.	...	80—5—120—10—240	...	
Category X.—Telegraphists					
(*a*) All India Scale .	80—5—100—10—250	Recruitment stopped.			
(*b*) Station Service—					
Calcutta and Bombay	80—5—170				
Madras, Karachi, Ahmedabad and Poona . .	70—5—160				
			Circle Service		
(*c*) Local Service .	55—5—120—10—180	...	45—45—3—60—4—120	86 8	
Category XIII.—Mechanics, Artificers, Cable Jointers, Engine Drivers and Electrical Mistries					
Group A.—(a) Assistant Mechanics and Cable Jointers					
Bombay . .	60—5—130	108 0	45—3—96—100	76 12	18
Karachi . .	50—5—120	85 15	45—3—96—100	76 12	18
(b) Electric Mistries, Cable Jointers, Head Bicycle Mistries, etc.					
Bombay . .	60—4—100	87 4	45—3—96—100	76 12	18
Karachi . .	50—4—90	77 14	45—3—96—100	76 12	18
Group B.—Mechanics					
Delhi . . .	120—5—145	138 0	40—3—91—95	72 2	47
Lahore . . .					
Simla . . .					
Other Scales varying from highest Delhi, etc. . . .	45—5—115	90 9	40—3—91—95	72 2	15
Lowest . . .	40—4—80	69 4	40—3—91—95	72 2	15

1	2	3	4	5	6
	Rs.	Rs. A.	Rs.	Rs. A.	
		Group C			
Scales varying from—Secunderabad	40—5—110	77 2	30—3—81—85	62 2	7
Lowest in most of the Circles except in certain towns	35—4—75	62 4	30—3—81—85	62 2	7
		Category XV.—Runners			
Calcutta	17—½—22	19 5	12—½—17	15 0	27
Highest Sind and Baluchistan	15—½—20	17 9	12—½—17	15 0	15
Lowest Bihar and Orissa, Central, Madras, Punjab and U. P. Circles	13—½—18	15 11	12—½—17	15 0	6
		Category XVII.—Boy Peons and Boy Messengers			
		Group A			
Highest in Bombay	18—1/3—20	19 11	12—½—15	14 9	25
Lowest in Calcutta	12—1/3—14	13 11	12—½—15	14 9	There is an improvement.
		Group B			
Highest in Ahmedabad	18—1/3—20	19 11	10—½—13	12 9	36
Lowest Nagpur	8—1/3—10	9 11	10—½—13	12 9	There is an improvement.
		Group C			
Highest in Bombay Circle	12—1/3—14	13 11	8—½—11	10 9	15
Lowest in Bihar and Orissa Circle	8—1/3—10	9 11	8—½—11	10 9	There is an improvement.
		Category XVIII.—(a) Packers, etc.			
		Group A			
Highest in Bombay	25—½—30	28 2	16—1/5—18	17 9	30
Lowest in Calcutta	18—½—23	21 10	16—1/5—18	17 9	30

1	2	3	4	5	6
	Rs.	Rs. A.	Rs.	Rs. A.	
		Group B			
Highest in Ahmedabad . . .	25—½—30	28 2	15—1/5—17	16 9	41
Lowest in Nainital .	14—½—19	17 10	15—1/5—17	16 9	6
		Group C			
Highest in certain towns in Punjab .	18—½—23	21 10	14—1/5—16	15 9	28
Lowest Central and U. P. Circles .	14—½—19	17 10	14—1/5—16	15 9	28
		(*b*) *Task Work Messengers*			
		Group A			
Highest in Bombay and Karachi .	12—¼—17	...	8—1/5—10	...	...
Lowest in Calcutta .	10—¼—15	...	8—1/5—10	...	...
		Group B			
Highest in Ahmedabad, Poona, Madras, Amritsar, Delhi, Lahore, Peshawar and Rawalpindi .	10—¼—15	...	7—1/5—9	...	...
Lowest in Patna, Agra, Allahabad, Mussoorie and Nainital . .	8—¼—13	...	7—1/5—9	...	...
		Group C			
Highest in Umarkhadi . .	12—¼—17	...	6—1/5—8	...	...
Lowest in Central and U. P. Circles except in certain places .	8—¼—13	...	6—1/5—8	...	...

61. It will be clear that the reduction in the scales of pay of the various cadres of the Posts and Telegraphs Department has been mostly of the order of 20 to 30 per cent., though in the case of small categories like Shroffs and Bill Sircars the reduction has been even greater—as much as 66 per cent. Even in the case of Packers and Task Work Messengers, whose former scales of pay were none too generous, the reduction has been of the order of 20 to 30 per cent. It is only in the case of Boy Peons and Boy Messengers in certain places that there was a slight improvement in fixing the new scales of pay. It is difficult to make a comparison between the employees of the Posts and Telegraphs Department and the employees of other Departments to find out what was the reduction effected in the new scales of pay. The only comparable category is that of clerks and I have already discussed their case in detail in the preceding paragraphs.

62. In this connection it is important to note that the Cowasjee Jehangir Committee examined the question from the point of view of retrenchment in 1931 and recommended certain scales of pay for the various cadres which were highe than the 1931 scales of pay. I attach herewith a statement (Appendix

VIII) showing the average of the old scales of pay, average of the new scales of pay, percentage difference between the two and the percentage reduction suggested by the Cowasjee Jehangir Committee. The averages have been only roughly calculated by adding the lowest and highest pay of the scales and dividing it by two. This may not be a very scientific way of calculating the average of the whole scale but so long as the period of the scale remains approximately the same it does give a fair idea of the general effect of reduction in the scales of pay and makes it possible to make a comparison between the scales actually sanctioned and those suggested by the Cowasjee Jehangir Committee. It will be noticed that the reduction in a large majority of cadres is almost double and in some cases three times that recommended by the Committee.

63. It has been stated in the reply of the Department to the representation of the Federation of Post and Telegraph Unions that owing to a decline in the cost of living the 1926 scales of pay had become unreal in 1931 in the same manner as the 1931 scales have become unreal under the present conditions. It has been further suggested that when the revised scales of pay were introduced in 1931 it was only for the purpose of bringing them in line with the cost of living and the general level of wages prevailing then and not with the idea of making them permanent for all time to come. This argument that the new scales of pay were fixed so as to bring them in line with the falling cost of living requires some consideration. The unions have urged that this particular argument in support of the new scales of pay has never been advanced by the Department in justification of the new scales. Mr. Sajnani's point was that the average index number for the working class cost of living in Bombay from 1922 to 1929 was 159, while that for the period 1930 to 1939 was 107 showing a fall of about 33 per cent. in the cost of living. He, therefore, argued that this fact would justify a reduction in the scales of pay to the extent of 33 per cent. But the weakness in this argument is this—if the fall in the cost of living justified a reduction in the scales of pay of the Posts and Telegraphs Department to the extent of 33 per cent., why was there not a corresponding reduction in the scales of pay of other Departments, which suffered a set back to the extent of 10 to 15 per cent. only ? The lowering in the cost of living was a factor common to the employees of other Departments also. This lends colour to the argument of the unions that the reduction in the scales of pay in this Department was specially severe as the accounts of the Department were kept on a commercial basis and the Department being run at a loss till 1933-34 the wage bill of the Department had to be specially reduced. In fact this argument was expressly advanced in justification of the emergency cut in the pay of the employees of this and the Railway Departments who were drawing a pay of Rs. 30 or less.

64. The argument of the Department amounts to this that under the new scales the employees were, by reason of the fall in the cost of living, able to maintain themselves in the same standard of comfort which the employees on the old scales of pay enjoyed in 1927-28 and it is submitted that if 1926 scales of pay were adequate at that time, then the new scales of pay were, owing to fall in prices, adequate to the iving conditions of 1935. The Department admits that when the revised scales were introduced in 1931 ordinarily the employees, both old and new, should have been brought on to the new scales. But merely as a personal concession Government allowed those employees who had entered service before the 16th July 1931, to continue to be governed by the scales of pay on which they were recruited. This argument assumes that the 1926 scales of pay were adequate, a proposition which the unions have never accepted.

65. Another factor which came into play during the 1935 revision of pay was the regrouping of certain cadres for purposes of scales of pay. For instance, Record Suppliers, Shroffs and Bill Sircars who, under the 1926 scales of pay, had been grouped with clerks were, in the revised pay structures, put in the same category as Duftries as their duties approximated more to those of the latter category than to those of the former. Inspectors of Peons were dislinked from the clerical cadre and classed along with Head Postmen for the same reasons.

66. A very important change was made with regard to telegraphists in whose case the former scales of pay were based on the condition of unlimited liability to transfer or no liability to transfer resulting in the General Service Scale and the Station Service Scale respectively. In 1931, a Circle Service of telegraphists was created with liability of transfer within the circle only and the scale of pay was accordingly fixed at a level which was supposed to take into account this condition of service. Besides, with modern equipment like the teleprinter the duties of the telegraphists were said to approximate more or less to those of a clerk and, therefore, their scale of pay was brought almost in line with that of clerks. It has to be remembered, however, that the telegraphists have still to possess knowledge of the various systems of telegraphy such as Morse, Beaudot and Murray.

67. The pay structures of 1931 have continued to this day except in the case of certain clerical and allied cadres in whose case the Government of India have introduced what are commonly known as Unified scales of pay. These scales were introduced as a temporary measure from 1st September 1944 in order to facilitate recruitment and to meet difficulties created by the War. This scale was divided into three grades :—

'A' Grade for Secretariat Offices—Rs. 100—10—200,

'B' For First Division in Circle Offices—Rs. 60—5—100—E.B.—10—120,

and

'C' For 2nd Division Clerks in Circle and Administrative Offices, Clerks, Sorters, Telephone Operators—40—5—60—E.B.—5—80.

68. These Unified Scales have been introduced only in certain localities and the initial pay in each grade differs in different places.

Class	I	II	III
	Calcutta and Bombay	Peshawar, Rawalpindi, Cawnpore, Delhi, Jubbulpur, Lahore, Lucknow, Nasik, Deolali, Poona, Kirkee, Karachi, Shillong and Simla.	Allahabad, Benares, Dehradun, Patna, Ranchi, Bangalore, Madras and Nagpur.
'A' . . .	120	100	100
'B' . . .	80	60	60
'C' . . .	55	45	40

69. Both permanent and temporary employees who were in service on 31st August 1944 were given the option to elect the Unified Scales of Pay as a temporary measure so long as they remained in force. But these employees were only given the credit of maximum of 3 years for the fixation of the initial pay in

the Unified Scales of Pay. The fact that this unified scale of pay was confined to only certain places deprived a great majority of clerks from getting the benefit of this unified scale. The initial pay of clerical staff in areas where it was Rs. 35 was, however, raised to Rs. 40 for places to which unified scales were not applied.

CHAPTER V.—RISE IN THE COST OF LIVING

70. The prices of commodities and services do not remain constant and this change is expressed in terms of money. Changes in purchasing power of money itself, however, cannot be expressed without resort to some special device. Prices of articles used by different classes of the community such as working classes and middle classes may change by varying degrees, but a comparison of the prices of those articles ruling at any two given points of time does not alone help in giving a complete idea of the change in the cost of living. The varying importance of the different articles which go to constitute a typical family budget of a particular class of the community has to be determined and proper weights must be assigned to each individual item on the list. This is achieved by the construction of cost of living index series applicable to the different classes of the community based on detailed inquiries of family budgets in the respective classes. Unfortunately such series of cost of living index numbers are not available for many centres in India. The Bombay Government, which has a Labour Office, has compiled a series from 1921 onwards, which is probably the most accurate and the most reliable in the whole of India. That series is designed to indicate changes in the cost of living of the working classes in the Bombay City. The base taken for that series is the cost of living for July 1914 as equal to 100. On the basis of a family budget enquiry conducted in 1932-33 the base period was changed in 1935 to the year ending June 1934 as equal to 100. But this change did not materially affect the continuity of the series. In the case of Ahmedabad, we have a series from August 1927 with the year ending July 1927 equal to 100 as the base. In the case of Sholapur the series begins from February 1928 with the year ending January 1928 equal to 100 as the base. There is another series for Jalgaon, commencing from June 1940 with August 1939 equal to 100 as the base. The figure for Jalgaon is published in the Indian Labour Gazette.

71. In the case of Nagpur and Jubbulpore, we have a series from 1927 onwards with January 1927 equal to 100 as the base. But these series suffer from the defect that in their compilation no account is taken of house-rent with the result that in considering them, some adjustment has to be made. It appears from the evidence given before the Rau Court of Enquiry that house-rents have not gone up since the beginning of the war: so that the omission of house-rent as an item of the budget would have the effect of making the cost of living index number exaggerate the actual rise in the cost of living.

72. So far as the Provinces of Bihar and Orissa are concerned, we have series of index numbers for Patna, Muzaffarpur, Monghyr, Jharia, Jamshedpur, Ranchi and Cuttack. It is understood that the series began from April 1926, but the figures for a period earlier than 1933 are not available. In all these cases the base taken is the average of five years ending 1914 equal to 100 and the items taken into consideration are only food, fuel and lighting and clothing, omitting expenditure under Miscellaneous items and on House Rent.

73. In the case of the Punjab, we have cost of living index series for Lahore, Sialkot, Ludhiana, Rohtak and Multan. All these series begin with January 1936 and the base taken is the average from 1931 to 1935 equal to 100. These

series take into account all the items which normally go to constitute a Family Budget, namely, food, fuel and lighting, clothing, miscellaneous and house-rent.

74. In the case of United Provinces the earliest series is for the city of Cawnpore. It began in September 1939 with August 1939 equal to 100 as the base. In the case of Meerut, Bareilly, Lucknow, Gorakhpur and Benares the series begin from the year 1940 with 31st July 1939 as the base. These series have been prepared for the low paid Government servants receiving pay up to Rs. 30 per mensem and take into account all the usual items constituting a Family Budget.

75. In the Province of Madras the earliest series is for the city of Madras, which began in June 1938 and takes the year ending June 1936 equal to 100 as the base. In the case of other towns in the Province, namely, Vizagapattam, Ellore, Bellary, Cuddalore, Coimbatore, Madras, Trichinopoly and Calicut the series began in January 1941 and take the year ending June 1936 equal to 100 as the base.

76. In Bengal, the Controller of Civil Supplies, Calcutta, used to compile cost of living index numbers which were published in the Calcutta Gazette. This index was on inquiry found to be defective and the Commissioner of Labour, Bengal, was not prepared to vouch for its reliability. The commissioner of Labour, Bengal, now compiles cost of living index numbers for Jagaddal and Calcutta based on retail prices which are being collected under the Government of India Cost of Living and Retail Price Index Number Schemes.

77. It would thus be seen that various Provinces have adopted different periods as the base, depending no doubt, upon the year when the Family Budget Enquiry was conducted in the particular area. The position has been described in the summary of conclusions in Annexure I to item II of the Proceedings of the Third Conference of Labour Ministers, issued as Publication No. 73 of the Bulletins of Indian Industries and Labour (Government of India Press 1942) as follows and remains true to this day :

> "1. The various family budget studies on which the indices are based, except in the case of the Bombay, Madras and to a certain extent the Nagpur indices, are either defective or insufficiently described. Since they have been held at widely differing intervals and there is the probability that the distribution of expenditure has changed appreciably during recent years, it is inadvisable to rely on the existing provincial series for an inter-provincial comparison of the fluctuations of the cost of living."
>
> "2. The collection of price data is done in different ways in different provinces. In some provinces, prices are collected twice a week, in some once a week, in some once a month, and so on. Again, in some provinces there are trained investigators and in some others it is done by officials of various departments."
>
> "3. The constitution of the index numbers differs from province to province. Some provinces do not include house-rent. Miscellaneous items are omitted in some provinces and very few items are included in others. Comparability between the different series can be secured only if comparable standards of living are assumed, if the price collection is done in a uniform manner, and when the constitution of various index numbers is brought to a uniform basis."

78. Where properly constituted index numbers are available there is naturally no difficulty in finding the rise in cost of living for that particular area, but difficulty arises in the case of places for which no such index numbers are available and the question arises as to what is to be done in such cases. The Rau Court of Enquiry examined one of the possibilities, *viz.*, that any rise in the cost of living may be computed by a reference to the index number of wholesale prices which is prepared on an all-India basis. This is based on the argument that retail prices follow wholesale prices and that the cost of living, depending as it does upon retail prices, must also follow wholesale prices. The Rau Court of Enquiry was however of the opinion that no such general conclusion could be based on the movements of the general index of wholesale prices, because the argument in favour of such a course ignores the true composition and meaning of the wholesale price index number. They examined how the wholesale price index number was constituted and came to the conclusion that the rise at the time in the general index of wholesale prices was mostly due to the metal group which hardly affected the cost of living, and not at all due to the food group, which enters most largely into the cost of living. They, therefore, held that it was a fallacy to argue that merely because there had been an increase in the index number of wholesale prices for Bombay, there must necessarily be an increase of the same order in the cost of living. The factors that enter into the two sets of figures are not all the same and much depends on the particular factor that has caused the rise in the wholesale index.

79. The other alternative is to rely on the retail price movements for this purpose and the question arises as to how far the retail price index number can be relied upon for this purpose. Mr. Deshpande, the Director of the Central Scheme for preparing Cost of Living Index numbers for the whole of India on a uniform basis, has stated as follows in a letter to Dr. Gregory, Economic Adviser to the Government of India—a copy of which has kindly been supplied to me by Mr. Deshpande. His observations are to the following effect ;

> " If proper weights are available, one would naturally vote in favour of a weighted index number, but it is submitted that a retail price index number carefully compiled, is not, in the absence of a weighted index number, an entirely unreliable instrument on which to rely. In this connection I may refer to the well known dictum of Dr. Bowley that inaccuracy in prices leads to greater inaccuracy in the resulting index number than inaccuracy of weights. I would further refer to the following observation made by him : ' If the number of independent quantities is at all considerable, any reasonable system of weights is likely to give as good a result as the conditions of the problem allow ' (Bowley Elements of Statistics, page 199). In this connection, I would also draw attention to the discussion contained in the Rau Court of Enquiry's Report where they have, by means of an example, proved that even by giving an additional weightage to the food group of 10 points, the general cost of living index would, on the increased weightage be only a fraction of a point higher than the figure resulting from the lower weightage.
>
> " I may state here that family budget enquiries have already been started in some provinces and will shortly be commenced in others and the need for using unweighted index numbers will not arise when these enquiries are completed.
>
> " In the light of the above facts and considerations, it would appear desirable that for purposes of linking up dearness allowance the retail price index numbers compiled under the Centre,

Scheme may be made use of in all centres with the possible exception perhaps of Bombay, Cawnpore and Madras and also of Ahmedabad, Sholapur and Nagpur if the weightages for the last three centres are revised on the basis of more recent enquiries. In order, however, to ensure further accuracy, it is suggested that in those centres in which proper family budget enquiries have recently been made, cost of living and retail price index numbers may be worked out for a period of about six months and on the basis of this comparison a correction factor may be worked out, if necessary, for being applied to other unweighted retail price index numbers."

80. If it were necessary for the purpose of this adjudication to have data for centres for which no cost of living index series exist, then in view of the opinion expressed by Mr. Deshpande, retail price index numbers might have been used with some advantage. But the difficulty that would have arisen in that case would be that retail price index numbers are available only from 1943 onwards. These numbers would, therefore, not indicate the rise in the cost of living in 1945 as compared to 1931 when the revised scales of pay were introduced, or even as compared to 1939, the year in which war was declared.

81. The cost of living index numbers for 1931 are available only for eight centres, and if one compares the index numbers of 1931 with those for 1939 for these centres one would find that the variations are not very great, although during that interval of eight years there was at first a fall and then a rise in the cost of living index number.

——	Bombay	Ahmed-abad	Sholapur	Nagpur	Jubbul-pore	Jam-shedpur	Jharia	Cuttack
1931. .	110	75	73	65	62	121	121	88
1939. .	106	73	74	63	59	107	113	104

82. It will be seen from the above statement that in respect of the first five centres the figures for 1931 are nearly the same as those for 1939. In respect of Jamshedpur and Jharia there is a fall in the cost of living numbers ; whereas in the case of Cuttack there is a rise. The index numbers for Jamshedpur, Jharia and Cuttack suffer, as has already been pointed out, from the defect that they take no account of the expenditure under the heads miscellaneous and house-rent. But if we take the figures of the first five centres as indicative of the levels of the cost of living in 1931 and 1939, one may perhaps conclude that the levels were very nearly the same and that therefore any rise in the cost of living in 1945 as compared with that of 1939 would also indicate the rise as compared with the cost of living in 1931. If this general conclusion is correct, then we can utilise for the purpose of comparison the index number of many other centres in the provinces of Bihar and Orissa, Punjab and the United Provinces and at least one centre in the Province of Madras *viz.* Madras city.

83. Although the figures for 1945 in respect of other towns in Madras are available, the base taken is not July 1939 but June 1936 and this makes it somewhat difficult to compare the figures for 1945 with those of 1939. It is possible to equate these figures to August 1939=100, as the table published in the Indian Labour Gazette does. No cost of living index figures are available for Baluchistan, North-West Frontier Province, Sind and Delhi. But the conditions in these Provinces may perhaps be assumed to approximate to those of the Punjab and one may apply the conclusions arrived at in respect

of the Punjab to these four Provinces. All these figures would give a fair idea of the rise in the cost of living in the whole of India and in my opinion it would not be necessary to resort to the retail price index numbers to assess the rise in the cost of living.

84. For the purpose of ascertaining what rise there has been in the cost of living due to the war, the Rau Court of Enquiry made an elaborate examination of the base to be taken for making the necessary comparison. In order to make allowance for seasonal fluctuations in the cost of living they took as their base the average of 12 months preceding the declaration of the war. The Court was then considering a rise in the cost of living of the order of 10 to 11 per cent. and for that purpose it was necessary to make adjustment for seasonal fluctuations and for the rise in the cost of living which had already taken place owing to anticipation of the war, because even a difference of four points in the base made a difference of five per cent. in the rise in the cost of living as shown by them in paragraph 17 of their report. The circumstances under which the present adjudication is taking lace are such that the rise in the cost of living is of the order of about 200 per cent. and meticulous accuracy is not necessary, especially when one has to evaluate the rise in the cost of living not in any particular town or Province but in India as a whole. Dewan Chaman Lal in the course of his argument suggested that many of the figures indicating the cost of living are not accurate and have not been collected on a uniform basis. To a certain extent this criticism is justified. For example, the index figures for Nagpur and Jubbulpore do not take into account the expenditure on house-rent. Even the Bombay figure was found by the Rau Court of Enquiry to be defective in certain particulars because in respect of the clothing group (which has 8% weightage in Bombay) no allowance was made for the rise in the cost of saris which has a weightage of 36% in the clothing group, as no accurate data were available. Although the cost of living index figure for the Bombay City rose by only 7% between 12 months before the war and 12 months after the war, the Court felt themselves compelled to place it at between 10 and 11 per cent. after making due allowance for the rise in the cost of the clothing group and the miscellaneous group. Similarly in the case of Bihar and Orissa the index figure is based only on the expenditure on food, fuel and lighting and clothing and no account is taken of the expenditure on house-rent and miscellaneous items. But even with these defects, the cost of living index numbers would give a fair picture of the general trend, as no very great accuracy is needed for the purpose of the present adjudication.

85. Taking the case of Bombay Province first, the cost of living index numbers are available for four centres, namely, Bombay, Ahmedabad, Sholapur, and Jalgaon the figures for 1939, 1945 and the percentage rise in each case is as follows :—

Centre	Classification of the area	Average Index number for		Percentage rise
		1939	1945	
Bombay	A	106	235	122
Ahmedabad	A	73	199	173
Sholapur	C	74	201	172
Jalgaon	C	100	291	191

86. Thus in 'A' area in the Bombay Province the rise is, on an average, 148 per cent. and in 'C' area of the Province the rise is, on an average, 182 per cent. and taking a mean of the two figures we may perhaps assume that the rise for the whole Province is about 165 per cent.

87. Taking next the case of Central Provinces and Berar, the figures are as follows :—

Centre	Classification of the area	Average Index number for		Percentage rise
		1939	1945	
Nagpur . . .	B	63	164	158
Jubbulpore . .	B	59	164	178

88. No figures are available for any other centre and the average for the Central Provinces on the basis of these two figures would be about 168. Having regard to the fact that the Nagpur and Jubbulpore figures do not take into account expenditure on house-rents, which have not gone up appreciably during the war, the omission of this item would have the effect of exaggerating the rise in the cost of living index number. According to the report of the Inquiry into the family budgets of the industrial workers at Nagpur, 1941-42, house-rent has a weightage of 4% in the total expenditure. If one makes allowance for this, one may perhaps conclude that the rise in the cost of living in the Central Provinces is of the order of about 160 per cent.

89. Taking next the case of Bihar and Orissa, the figures are as follows :—

Centre	Classification of the area	Average Index number for		Percentage rise
		1939	1945	
Patna	B	108	310	187
Muzaffarpur . .	C	110	304	176
Munghyr . . .	C	111	335	202
Jamshedpur . .	C	107	330	208
Jharia . . .	C	113	371	228
Cuttack . . .	C	104	296	185
Ranchi . . .	B	98	363	270

90. The arithmetical average in the rise of cost of living for Bihar and Orissa would be 208 per cent. The Bihar and Orissa figures do not take into account the expenditure on miscellaneous items and house-rent. I have no information as to what weightage these two items have in the family budget expenditure of working classes in Bihar and Orissa. According to the investigations of Mr. Deshpande at Monghyr and Jamalpur house-rent has a weightage of 1·71 and "miscellaneous", of 11·21. But Mr. Deshpande explained in his evidence that the low weightage for house-rent was due to the fact that the budgets were collected largely from the Railway Colony—where the houses

are self-owned by the workers a or free housing accommodation is provided by the Railway Administration. In Sholapur, which is also a 'C' area, the housing and miscellaneous items have the same weightage, *viz.*, 6%. If the same position obtains in 'C' areas of Bihar and Orissa, the absence of any rise in the expenditure on house-rent may perhaps be held to cancel the corresponding rise in the expenditure under "miscellaneous". If so the figure of 208 may be regarded as showing the overall rise in the cost of living generally in Bihar and Orissa.

91. In the case of the Punjab the figures are as follows :—

Centre	Classification of the area	Average Index number for		Percentage rise
		1939	1945	
Lahore	B	125	348	178
Sialkot	C	121	360	198
Ludhiana	C	124	380	206
Rohtak	C	115	338	194
Multan	C	125	333	166

92. The average for the whole Province indicates that there is a rise of 188%. This rise may be held to subsist not only in the Punjab Province but also in the adjoining Provinces of Baluchistan, North-West Frontier, Sind and Delhi for which no figures are available.

93. In the case of the United Provinces the figures are available for the following centres :—

Centre	Classification of the area	Average Index number for		Percentage rise
		1939	1945	
Cawnpore	B	107	308	188
Meerut	B	...	314*	214
Bareilly	C	...	321*	221
Lucknow	B	...	334*	234
Gorakhpur	C	...	265*	165
Benares	B	...	289*	189

94. On these figures the average rise in the cost of living for the whole province is 202 per cent.

*With July 1939 equal to 100 as the base.

95. In the case of Madras the figures are as follows :—

Centre	Classification of the area	Average Index number for			Percentage rise
		1936	1939	1945	
Madras	B	100	100	223*	123
Vizagapattam	B	100	...	224*	124
Ellore	C	100	...	255*	155
Bellary	C	100	...	221*	121
Cuddalore	C	100	...	232*	132
Coimbatore	C	100	...	230*	130
Madura	C	100	...	229*	129
Trichinopoly	C	100	...	235*	135
Calicut	C	100	...	260*	160

96. The average rise in the cost of living for the whole province of Madras comes to 134 per cent.

97. So far as Bengal and Assam are concerned the only figures available are as follows :—

Centre	Classification of the area	August 1939	1945	Percentage rise
Calcutta	A	100	284	184
Jagaddal	C	100	275	175

98. The rise in the cos of living is in the neighbourhood of 180 per cent.

99. Thus the rise in cost of living in the various provinces is as follows :—

Province	Percentage rise
Bombay	165
Central Provinces and Berar	160
Bihar and Orissa	208
The Punjab and allied provinces	188
United Provinces	202
Madras	134
Bengal and Assam	180

100. An arithmetical average of these figures would give an average rise in the cos of living for the whole of India as 177 per cent.

*All these index figures have been computed with the year ending June 1936 equal to 100 as base. On the whole, judging from other centres for which figures for 1936 and 1939 are available, the cost of living in 1936 was slightly below that of 1939.

101. This arithmetical average may perhaps be corrected by taking a weighted average for each province, having regard to the number of postal employees employed in that province. On this basis the calculation is as follows :—

Province	Percentage rise in cost of living as in 1945 as compared with 1939	Number of employees in the Posts and Telegraphs Department	Weightage
Bombay	165	22,000	36,20,000
United Provinces	202	18,000	36,36,000
Punjab and the neighbouring provinces	188	24,000	45,12,000
Bihar and Orissa	208	10,000	20,80,000
Madras	134	22,000	29,48,000
Central Provinces	160	10,000	16,00,000
Bengal and Assam	180	25,000	45,00,000
Total	...	1,31,000	2,28,96,000

Dividing 228,96,000 by 1,31,000, the weighted average for the rise in cost of living of the Posts and Telegraphs employees comes to 175 which is nearly the same as the arithmetical average for the whole of India. We may, therefore, take it that between 1939 and 1945 there has been an average rise in the cost of living of about 175 per cent. for the whole of India.

102. It will be noticed from the above that the ise in the cost of living has been more or less of the same magnitude in different urban centres except perhaps in those of Madras where the rise has been relatively not so great. Classifying the above percentage rises in the cost of living in the various centres, according to the different categories A, B and C, the position is as follows :—

Classification of area	Centres	Percentage rise between 1939 and 1945	Average percentage
A	Bombay	122	160
	Ahmedabad	173	
	Calcutta	184	
B	Nagpur	158	186
	Jubbulpore	178	
	Patna	187	
	Ranchi	270	
	Lahore	178	
	Cawnpore	188	
	Lucknow	234	
	Benares	189	
	Meerut	214	
	Madras	123	
	Vizagapattam	124	

Classification of area	Centres	Percentage rise between 1939 and 1945		Average percentage
C	Sholapur	172		
	Jalgaon	191		
	Muzaffarpur	176		
	Monghyr	202		
	Jamshedpur	208		
	Jharia	228	192	
	Cuttack	185		
	Sialkot	198		
	Ludhiana	206		
	Rohtak	194		
	Multan	166		
	Bareilly	221		174
	Gorakhpur	165		
	Jagaddal	175		
	Ellore	155		
	Bellary	121		
	Cuddalore	132		
	Coimbatore	130	137	
	Madura	129		
	Trichinopoly	135		
	Calicut	160		

103. It will be seen that in A areas of Bombay, Ahmedabad and Calcutta the average rise is 160%. In B areas the rise is 186%. In C areas of Madras the rise is 137%. But taking all the C areas as a whole the percentage rise is 174. If we exclude the C areas of Madras Province the average rise is 192%. I am informed that the smaller rise in the cost of living in Madras has been not only due to rationing but also due to procurement and distribution of cereals by the Local Government through the agency of Co-operative Societies thus reducing to a minimum the middle man's profit.

104. The above figures are also supported by the evidence given by Mr. Deshpande that the rise in the cost of living is almost the same, in some cases even greater, in urban and semi-urban areas than in the city areas. He stated that with rationing, control of the food cereals, dislocation of transport and commandering of food, the smaller pla es have become as expensive as urban areas excepting such city areas as Bombay and Calcutta. This would indicate that whatever initial advantage C areas may have had in the matter of cost of living, has been more or less offset by the differential rise in the cost of living in most centres except perhaps those in the Madras Province. This conclusion will be found to be reinforced when I come to consider, though in a very rough manner, what the present day cost of living of the working classes is in the different areas.

105. I must however point out that the above conclusions are with respect to a general consumer's budget among the working classes. The percentage rise in individual cases must vary according as the individual budget departs from the normal, as it must do in the case of low income groups. The figures given above are those for the city, urban or semi-urban areas where expenditure is incurred on all the main items constituting an average family budget. In the case of lower income groups, particularly in rural areas, food and clothing form the main items in the family budget and have a very large

weightage therein. There is very little or no expenditure on house-rent and fuel. In their case, therefore, the rise in the cost of living would depart from the average rise in so far as the rise in the cost of food and clothing group departs from the average rise. The figures for rise in clothing and food groups in the rural areas are not available. But Mr. Deshpande has stated that owing to the standardisation of prices of most of the essential commodities all over India, the things which were cheaper in rural areas have registered a higher rise than in urban areas. In the case of articles which are not controlled the difficulty of transport and the absence of competition has also had the same effect in raising the level of prices in rural as compared with the urban areas. In the case of smaller income groups in rural areas, therefore, the percentage rise in the cost of living would be higher than that indicated by the figures referred to above.

CHAPTER VI.—ALLOWANCE SANCTIONED SINCE 1939 AND THEIR EFFECT IN NEUTRALIZING THE RISE IN THE COST OF LIVING.

106. A complete list of allowances at present granted to the employees and the conditions on which they are granted is annexed as Appendix IX. Statement at Appendix X shows in what respect the allowances differ in the case of old and new scale employees. All these allowances and benefits except the War and Dearness Allowances, the Good Conduct Pay, compensatory house-rent allowances (introduced in September 1944 for Bombay, Calcutta and Delhi) and supply of food-grains at concessional rates at these and a few other centres, have been in force even prior to the war and need not, therefore, be taken into account in considering how far the rise in the cost of living due to the war has been offset by those allowances. The compensatory house-rent allowance makes good to the employee (upto a maximum of ten per cent. of his pay) any excess of the actual rent that the employee pays over ten per cent. of his salary. The relief from this concession naturally varies from cadre to cadre and individual to individual. Moreover, the lower adres, *e.g.*, postmen and allied classes did not derive any additional benefit from it as they were already in receipt of regular house-rent allowances at a large number of expensive places when the new scheme was introduced. For these reasons this allowance also cannot be taken into consideration here This and the other concessions in force even prior to the war, would undoubtedly be a relevant factor in considering whether the sum total of pay and allowances given to the recipients thereof affords them a reasonable minimum remuneration by which they can maintain themselves and their families in health and efficiency. But in order to find out the efficacy of the allowances in neutralizing the hardship occasioned by the rise in the cost of living, we need only consider the Good Conduct Pay, the Dearness and War Allowances and the grain concession.

107. The Good Conduct Pay was sanctioned in January 1943 having regard to the special circumstances of the Posts and Telegraphs Department. From 1st January 1943 upto 30th June 1944, it was granted at Rs. 2 per month to the employees drawing a pay of less than Rs. 40 p. m. From 1st July 1944 to 28th February 1946, it was given at the rate of Rs. 7 per month to the employees drawing less than Rs. 40 per month and Rs. 5 to the employees drawing a pay from Rs. 40 to Rs. 120 a month. From the 1st of March 1946, the Good Conduct Pay was increased by Rs. 5 in respect of each of the categories and the pay limit upto which it could be drawn was raised in respect of the second category to Rs. 160.

108. In paragraph 9 of the letter from the Secretary to the Government of India in the Posts and Air Department addressed to the Director-General, Posts and Telegraphs, dated the 4th March 1946, it has been observed as follows :—

> "The Government of India have further considered the special circumstances of the Posts and Telegraphs employees for whom it has not been possible, on account of practical and administrative difficulties to arrange for the supply of foodstuffs and other essential articles at concession rates in all places in India as has been done in the Railway Department. Taking into consideration also the nature and conditions of work of the Posts and Telegraphs employees and as a special measure of relief for them, Government have now decided to increase the Good Conduct pay from Rs. 7 to Rs. 12 in the case of all employees drawing less than Rs. 40 per month and from Rs. 5 to Rs. 10 in the case o all employees drawing pay up to Rs. 120. The limit up to which this increased Good Conduct pay can be drawn has also been raised from Rs. 120 to Rs. 160 per month."

109. Although the increase in the Good Conduct Pay recently sanctioned has been mentioned in the context of Government's inability to provide essential articles and foodgrains at concession rates, this increase has been given even to the employees n places like Bombay, Calcutta, Delhi and Simla where in fact they are already enjoying the concession of buying grains and other essential articles at cheap rates. It is, therefore, not altogether easy to say that the increase recently sanctioned was in lieu of cheap grain facilities and there is some force in the argument that the Good Conduct Pay has been given to the employees of the Posts and Telegraphs Department as a measure of recompense for the special nature and conditions of their work. The words used by the Secretary to the Government in the Posts and Air Department in the above quotation bear out this contention to some extent.

110. The Scale of Dearness Allowance at present in force is as follows :

Area	Below Rs. 40	Above Rs. 40
	Rs.	Rs.
A	20	22
B	16	18
C	14	16

111. Although these are the rates at present, relief on this scale was not given to the employees throughout the war period. Appendices XI to XIII show the rates of allowances, the dates when they were sanctioned, and the pay limits, up to which they were made applicable in each of the A, B and C areas. The allowances were sanctioned and increased with effect from the same dates but at varying rates and up to different pay limits in A, B and C areas. Upto 1st of April 1941, by which time the cost of living index figure at Bombay had risen from 105 before the war to 121, no relief was given to any one. Thus for the first 19 months of the war, though the employees in industrial undertakings were getting allowances on not inconsiderable scales, the employees in the Posts and Telegraphs Department got no relief whatever.

112. From 1st April 1941 to 1st August 1942, the Posts and Telegraphs Department gave a grain concession allowance to its lower grade employees. The rate at which it was paid and the pay limit up to which it was given differed in different provinces according to the orders passed by the Provincial Governments in respect of their own employees. There was no uniformity in the allowance given in different provinces and the grant varied between Rs. 2 and Rs. 5 per month. In the Bombay Province the position was as follows :—

—	Grain allowance	Pay limits
From 1-4-1941 to 31-12-1941	Rs. 3 in Bombay Rs. 2 elsewhere	Rs. 39 Rs. 29
From 1-1-1942 to 31-7-1942	Rs. 5 in Bombay Rs. 3 elsewhere.	Rs. 59 Rs. 49

113. From 1st August 1942, to 31st December 1942, the average index number for the cost of living in Bombay was 175 showing a rise of 66 per cent. over the prewar figure of 105. With effect from 1st August 1942, employees drawing less than Rs. 40 got Rs. 6 as Dearness Allowance and those drawing between Rs. 40 and Rs. 100 received Rs. 9 as Dearness Allowance. This allowance had the effect of neutralising fully the rise in the cost of living of only those employees whose pay was Rs. 9 per month or less. An employee drawing Rs. 100 a month obtained relief only to the extent of 9 per cent. of his pay against the rise of 66 per cent. in the cost of living. Employees drawing a pay of Rs. 101 or more received no relief at all. The position is summarised in the following table :—

1st August 1942 to 31st December 1942.

(Average Index Number was 175 showing a rise of 66 per cent. over the prewar figure of 105).

PLACE : BOMBAY

Pay Group in rupees	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below 40	6	...	6	Those drawing a pay of Rs. 9 or less had the rise in the cost of living fully neutralised.
40 to 100	9	...	9	Those drawing a pay of Rs. 100 obtained relief to the extent of 9 per cent. of their pay against a rise of 66 per cent. in the cost of living.
Above 100	...	...	...	No relief.

Similar tables for Cawnpore ('B' area) and Sialkot ('C' area) are as follows :—

1st August 1942 to 31st December 1942

(Average Index Number was 213 showing a rise of 113 per cent. over the prewar figure of 100)

PLACE : CAWNPORE

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40	5	...	5	Those drawing a pay of Rs. 4 or less had the rise in the cost of living fully neutralised.
40 to 80	7	...	7	Those drawing a pay of Rs. 80 obtained relief to the extent of 9 per cent. of their pay against a rise of 113 per cent. in the cost of living.
Above 80	...	...	...	No relief.

1st August 1942 to 31st December 1942

(Average Index Number was 241 showing a rise of 101 per cent. over the prewar figure of 120)

PLACE : SIALKOT

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs,	Rs.	Rs.	
Below Rs. 40	4	...	4	Those drawing a pay of Rs. 4 or less had the rise in the cost of living fully neutralised.
40 to 60	6	...	6	Those drawing a pay of Rs. 60 obtained relief to the extent of 10 per cent. of their pay against a rise of 101 per cent. in the cost of living.
Above 60	...	...	...	No relief.

114. From 1st January 1943 to 31st May 1943, the average index figure for the cost of living in Bombay was 214 indicating a rise in the cost of living of 104 per cent. over the prewar figure of 105, with effect from 1st January 1943 Government sanctioned a dearness allowance of Rs. 7 and a Good Conduct Pay of Rs. 2 for employees drawing Rs. 40 or less. For employees drawing Rs. 40 to Rs. 120 a month there was a Dearness Allowance of Rs. 10. The effect of this was that those drawing a pay of Rs. 9 or less had the rise in the cost of living fully neutralised. Others received only a partial relief and the employees drawing Rs. 120 a month received relief to the extent of 9 per cent.

of their pay against a rise of 104 per cent. in the cost of living. Employees drawing Rs. 121 and above received no relief at all. The position is summarised in the following table :—

1st January 1943 to 31st May 1943

(Average Index Number was 214 indicating a rise in the cost of living of 104 per cent. over the prewar figure of 105)

PLACE : BOMBAY

Pay limit in rupees	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below 40	7	2	9	Those drawing a pay of Rs. 9 or less had the rise in the cost of living fully neutralised.
40 to 100	10	...	10	Those drawing a pay of Rs. 120 obtained relief to the extent of 9 per cent. of their pay against a rise of 104 per cent. in the cost of living.
101 to 120				
Above Rs. 120	...	...	...	No relief.

Similar tables for Cawnpore ('B' area) and Sialkot ('C' area) are as follows :—

1st January 1943 to 31st May 1943

(Average Index Number was 262 indicating a rise in the cost of living of 162 per cent. over the prewar figure of 100)

PLACE : CAWNPORE

Pay limit	Reli			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40	6½	2	8½	Those drawing a pay of Rs. 5 or less had the rise in the cost of living fully neutralised.
40 to 80	9	...	9	Those drawing a pay of Rs. 100 obtained Relief to the extent of 9 per cent. of their pay against a rise of 162 per cent. in the cost of living.
81 to 100				
Above Rs. 120	...	...	...	No relief.

1st January 1943 to 31st May 1943

(Average Index Number was 334 indicating a rise in the cost of living of 178 per cent. over the prewar figure of 120)

PLACE : SIALKOT

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
Below Rs. 40	Rs. 5	Rs. 2	Rs. 7	Those drawing a pay of Rs. 4 or less had the rise in the cost of living fully neutralised.
40 to 60 61 to 70	7½	...	7½	Those drawing a pay of Rs. 70 obtained relief to the extent of 11 per cent. of their pay against a rise of 178 per cent. in the cost of living.
Above 70	...	...	....	No relief.

115. From 1st June 1943 to 29th February 1944, the average index number for the cost of living for Bombay was 241 indicating a rise of 130 per cent. over the prewar figure of 105. With effect from 1st June 1943, Government sanctioned a Dearness Allowance of Rs. 11 and a Good Conduct Pay of Rs. 2, total Rs. 13, to all employees drawing a pay of Rs. 40 or less. Those drawing Rs. 40 to 150 received Rs. 14 as Dearness Allowance. The result of this was that those who were drawing Rs. 10 a month or less had the rise in the cost of living fully neutralised. Others received only a partial relief and employees on a pay of Rs. 150 a month obtained relief to the extent of 9⅓ per cent. of their pay against the rise of 130 per cent. in the cost of living. Those drawing a pay of Rs. 151 and above received no relief whatever. The position is summarised in the following table :—

1st June 1943 to 29th February 1944

(Average Index Number was 241 indicating a rise of 130 per cent. over the prewar figure of 105)

PLACE : BOMBAY

Pay limit in rupees	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
Below Rs. 40	Rs. 11	Rs. 2	Rs. 13	Those drawing a pay of Rs. 10 or less a month had the rise in the cost of living fully neutralised.
40 to 100 101 to 120 121 to 125 126 to 150	14	...	14	Those drawing a pay of Rs. 150 obtained relief to the extent of 9 per cent. of their pay against a rise in the cost of living of 130 per cent.
Above 150	...	...	...	No relief.

Similar tables for Cawnpore ('B' area) and Sialkot ('C' area) are as follows :—

1st June 1943 to 29th February 1944

(Average Index Number was 330 showing a rise of 230 per cent. over the prewar figure of 100)

PLACE : CAWNPORE

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
Below Rs. 40	8	2	10	Those drawing a pay of Rs. 4 or less had the rise in the cost of living fully neutralised.
	Rs.	Rs.	Rs.	
40 to 80 81 to 100 101 to 102 103 to 120 121 to 125	11	...	...	Those drawing a pay of Rs. 125 obtained relief to the extent of 9 per cent. of their pay against a rise of 230 per cent. in the cost of living.
Above Rs. 125	...	...	...	No relief.

1st June 1943 to 29th February 1944

(Average Index Number was 365 showing a rise of 204 per cent. over the prewar figure of 120)

PLACE : SIALKOT

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40	6½	2	8½	Those drawing a pay of Rs. 4 or less had the rise in the cost of living fully neutralised.
40 to 60 61 to 70 71 to 90	9	...	9	Those drawing a pay of Rs. 90 obtained relief to the extent of 10 per cent. of their pay against a rise of 204 per cent. in the cost of living.
Above 90	...	...	...	No relief.

116. From 1st March 1944 to 30th June 1944, the average index number for the cost of living for Bombay was 232 showing a rise of 121 per cent. over the prewar figure of 105. With effect from 1st March 1944 Government sanctioned a Dearness Allowance of Rs. 14 *plus* a Good Conduct pay of Rs. 2, total Rs. 16, for employees drawing Rs. 40 or less. For those drawing between Rs. 40 and Rs. 250 a month the Dearness Allowance sanctioned was Rs. 18. The effect of this was that only those drawing a pay of Rs. 13-4-0 a month or less had the rise in the cost of living fully neutralised. Others received only partial relief. Employees drawing a pay of Rs. 250 a month obtained relief to the extent of 7 per cent. of their pay although the cost of living had risen by 121 per cent. Employees drawing more than Rs. 250 a month received no relief. The position is summarised in the following table :—

1st March 1944 to 30th June 1944

(Average Index Number was 232 showing a rise of 121 per cent. over the prewar figure of 105)

PLACE : BOMBAY

Pay limit in rupees	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40	14	2	16	Those drawing a pay of Rs. 13-4-0 or less had the rise in cost of living fully neutralised.
40 to 100	18	...	18	Those drawing a pay of Rs. 250 obtained relief to the extent of 7 per cent. of their pay against a rise of 121 per cent. in the cost of living.
101 to 120				
121 to 125				
126 to 150				
151 to 160				
161 to 250				
Above 250	...	...	...	No relief.

Similar tables for Cawnpore ('B' area) and Sialkot ('C' area) are as follows :—

1st March 1944 to 30th June 1944

(Average Index Number was 310 showing a rise of 210 per cent. over the pre-war figure of 100)

PLACE : CAWNPORE

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40	11	2	13	Those drawing a pay of Rs. 6 or less had the rise in the cost of living fully neutralised.
40 to 80 81 to 100 101 to 102 103 to 120 121 to 125 126 to 160 161 to 200	14	...	14	Those drawing a pay of Rs. 200 obtained relief to the extent of 7 per cent. of their pay against a rise of 210 per cent. in the cost of living.
Above 200	...	...	...	No relief.

1st March 1944 to 30th June 1944

(Average Index Number was 351 showing a rise of 193 per cent. over the prewar figure of 120)

PLACE : SIALKOT

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40	9	2	11	Those drawing a pay of Rs. 5 or less had the rise in the cost of living fully neutralised.
40 to 60 61 to 70 71 to 90 91 to 100 101 to 120 121 to 150	12	..	12	Those drawing a pay of Rs. 150 obtained relief to the extent of 8 per cent. of the pay against a rise of 193 per cent. in the cost of living.
Above 150	...	...	...	No relief.

117. From 1st July 1944, to 28th February 1946, the average index number for the cost of living for Bombay was 238 indicating a rise of 127 per cent. over the prewar figure of 105. With effect from 1st July 1944, Government sanctioned a Dearness Allowance of Rs. 20 *plus* a Good Conduct Pay of Rs. 7, total Rs. 27, for employees drawing Rs. 40 or less. Those drawing between Rs. 40 and Rs. 120 per month received a Dearness Allowance of Rs. 22 *plus* a Good Conduct Pay of Rs. 5 per month, total Rs. 27. For those drawing between Rs. 121 and Rs. 125 Government sanctioned only a Dearness Allowance of Rs. 22 and no Good Conduct Pay was given. For those drawing a pay of Rs. 126 and above a Dearness Allowance of 17½ per cent. of their pay was sanctioned. From 1st February 1945, food-grains were supplied at concession rates—the cash value of this concession at Bombay has been estimated at Rs. 4-5-0 a month per family. The effect of this was that those drawing a pay of Rs. 25 a month had the rise in the cost of living fully neutralised. Others received only a partial relief. For example, those getting a salary of Rs. 120 a month got relief to the extent of 26 per cent. of their pay against a rise in the cost of living of 127 per cent. Those drawing a pay of Rs. 125 a month received relief in the shape of Dearness Allowance and grain concession to the extent of 21 per cent. of their pay and those drawing Rs. 126 and above received relief to the extent of 17½ per cent. of their pay. The position is summarised in the following table :—

1st July 1944 to 28th February 1946

(Average Index Number was 240 indicating a rise of 127 per cent. over the prewar figure of 105.)

PLACE : BOMBAY

Pay limit in rupees	Relief				Effect
	Dearness Allowance	Good Conduct Pay	Grain* Concession	Total	
	Rs.	Rs.	Rs.	Rs.	
Below 40	20	7	4/5	31/5	Those drawing a pay of Rs. 25 or less had the rise in the cost of living fully neutralised.
40 to 100 101 to 120	22	5	4/5	31/5	Those drawing a pay of Rs. 120 obtained relief to the extent of 26 per cent. of the pay against a rise of 127 per cent. in the cost of living.
121 to 125	22	...	4/5	26/5	Those drawing a pay of Rs. 125 obtained relief to the extent of 21 per cent. of their pay.
126 and above	17½ per cent of pay.	...	4/5	17½ per cent. *plus* Rs. 4/5.	Relief to the extent of 17½ per cent. of their pay *plus* grain concession.

* Since 1st February 1945.

Similar tables for Cawnpore ('B' area) and Sialkot ('C' area) are as follows :—

1st July 1944 to 28th February 1946

(Average Index Number was 312 showing a rise of 212 per cent. over the prewar figure of 100.)

PLACE : CAWNPORE

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40 . .	16	7	23	Those drawing a pay of Rs. 10½ or less had the rise in the cost of living fully neutralised.
40 to 80 . .	18	5	23	Those drawing a pay of Rs. 102 obtained relief to the extent of 23 per cent. of their salary against a rise of 212 per cent. in the cost of living.
81 to 100 . .				
101 to 102 . .				
103 to 120 . . .	17½ per cent.	5	17½ per cent. *plus* Rs. 5.	Those drawing a pay of Rs. 120 obtained relief to the extent of 22 per cent. of their pay against a rise of 212 per cent. in the cost of living.
121 and above . .	17½ per cent.	..	17½ per cent.	Those receiving Rs. 121 as their pay got 17½ per cent. of their salary as relief.

1st July 1944 to 31st December 1945

(Average Index Number was 358 showing a rise of 198 per cent. over the prewar figure of 120.)

PLACE : SIALKOT

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
Below Rs. 40	Rs. 14	Rs. 7	Rs. 21	Those drawing a pay of Rs. 10½ or less had the rise in the cost of living fully neutralised.
40 to 60 61 to 70 71 to 90 91 to 100	16	5	21	Those drawing a pay of Rs. 100 obtained relief to the extent of 21 per cent. of their pay against a rise of 198 per cent. in the cost of living.
101 to 120	17½ per cent.	5	17½ per cent. *plus* Rs. 5.	Those drawing a pay of Rs. 120 obtained relief to the extent of 21½ per cent. of their pay against a rise in the cost of living of 198 per cent.
121 and above	17½ per cent.	...	17½ per cent.	Those drawing Rs. 121 and above got 17½ per cent. of their pay as relief.

118. The index figure for the month of March 1946, was 247, which showed a rise of 135 per cent. over the prewar figure of 105. With effect from 1st March 1946 Government increased the Good Conduct Pay by Rs. 5 with the result that the employees drawing less than Rs. 40 a month received Rs. 20 as Dearness Allowance and Rs. 12 as Good Conduct Pay making a total of Rs. 32. Those drawing between Rs. 40 and Rs. 125 received a Dearness Allowance of Rs. 22 *plus* Rs. 10 as Good Conduct Pay making a total of Rs. 32 besides the grain concession. Those in receipt of pay from Rs. 126 to 160 per month got 17½ per cent. of their pay as Dearness Allowance and Rs. 10 as Good Conduct Pay (also besides grain concession). Those drawing a pay of Rs. 161 or more only received a Dearness Allowance of 17½ per cent. of their pay *plus* grain concession. The effect of this was that those drawing a pay of Rs. 27 a month or less had the rise in the cost of living fully neutralised. Those drawing a

pay of Rs. 125 obtained relief to the extent of 29 per cent. of their pay against a rise in the cost of living of 135 per cent. Those drawing a pay of Rs. 160 a month got relief to the extent of about 26 per cent. of their pay against a rise in the cost of living of 135 per cent. and those drawing a pay more than Rs. 160 a month received relief to the extent of 17½ per cent. of their pay *plus* the grain concession. The position is summarised in the following table :—

1st March 1946 outwards

(Index figure for March 1946 was 247 which showed a rise of 135 per cent. over the prewar figure of 105.)

PLACE : BOMBAY

Pay limit in rupees	Relief				Effect
	Dearness Allowance	Good Conduct Pay	Grain Concession	Total	
	Rs.	Rs.	Rs.	Rs.	
Below 40	20	12	4/5	36/5	Those drawing a pay of Rs. 27 or less had the rise in the cost of living fully neutralised.
40 to 100 101 to 120 121 to 125	22	10	4/5	36/5	Those drawing a pay of Rs. 125 obtained relief to the extent of 29 per cent. of their pay against a rise in the cost of living of 135 per cent.
126 to 150 151 to 160	17½ per cent. of pay.	10	4/5	17½ per cent. + Rs. 10 + Rs. 4/5	Those drawing Rs. 160 got relief to the extent of about 26 per cent. of their pay against a rise of 135 per cent.
Above 160	17½ per cent.	...	4/5	17½ per cent. + Rs. 4/5	Relief to the extent of 17½ per cent. of their pay *plus* grain concession.

Similar tables for Cawnpore ('B' area) and Sialkot ('C' area) are as follows:—

1st March 1946 onwards

(Index figure for March 1946 was 309 which showed a rise of 209 per cent. over the prewar figure of 100.)

PLACE: CAWNPORE

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
	Rs.	Rs.	Rs.	
Below Rs. 40 . .	16	12	28	Those drawing a pay of Rs. 13 or less had the rise in the cost of living fully neutralised.
40 to 80 . .	18	10	28	Those drawing Rs. 100 obtained 28 per cent. of their salary as relief as against the rise in the cost of living of 209 per cent.
81 to 100 . .				
101 to 102 . .				
102 to 120 . .	17½ per cent.	10	17½ per cent. + Rs. 10	Those drawing Rs. 160 obtained 23¾ per cent. of their pay as relief as against a rise in the cost of living of 209 per cent.
121 to 125 . . .				
126 to 160 . .				
Above 160 . . .	17½ per cent.	...	17½ per cent.	Those getting Rs. 160 or over obtained 17½ per cent. of their pay as relief.

1st March 1946 onwards

(Index figure for January* 1946 was 372 which showed a rise of 210 per cent over the prewar figure of 120.)

PLACE : SIALKOT

Pay limit	Relief			Effect
	Dearness Allowance	Good Conduct Pay	Total	
Below Rs. 40 . .	Rs. 14	Rs. 12	Rs. 26	Those drawing Rs. 12 or less had the rise in the cost of living fully neutralised.
40 to 60 . .	16	10	26	Those drawing Rs. 100 obtained 26 per cent. of their pay as relief as against a rise in the cost of living of 210 per cent.
61 to 70 . .				
71 to 90 . .				
91 to 100 . .				
101 to 120 . .	17½ per cent.	10	17½ per cent. + Rs. 10	Those drawing Rs. 160 obtained 26¼ per cent. of their pay as relief.
121 to 150 . .				
151 to 160 . .				
Above 160 . . .	17½ per cent.	...	17½ per cent.	Those getting Rs. 160 and above got 17½ per cent. of their pay as relief.

119. It is unnecessary for the purpose of this adjudication to go into the question of the desirability from the point of view of national economy of granting Dearness Allowances and to consider what would be the repercussions thereof if they are granted. These have been considered by various Committees. I need only refer very briefly to the expressions of opinion by the Rau Court of Enquiry. The arguments against full neutralisation of the rise in the cost of living have been dealt with by the Court in paragraph 84 and the subsequent paragraphs of the Report. In paragraph 84 they observed as follows :—

> "The rise in prices caused by the war is in part due to a shortage of consumable goods. If this rise is sought to be neutralised by raising wages all round, the supply of goods remaining the same as before, the result would merely be to raise prices still further, so that no person will be able to buy more goods than before. Any attempt at full and all-round neutralisation in this sense will, therefore, defeat its own purpose. Where, however, neutralisation is confined to those wage-earners who lived at or below efficiency level before the war, this argument would lose much of its force."

* The figure for March was not available.

120. To the argument that as a result of the war everybody must submit to some lowering of the standard of living and cannot claim to be put in a position which would enable him to buy the same quantity of goods as before, they gave a reply that it would not apply to persons who even before the war were consuming no more than was essential for health and efficiency and that it applied only to those who were living above that level and had some margin for retrenchment. They also considered whether any neutralisation was called for when the rise in the cost of living did not exceed normal fluctuations of peacetime. They, however, thought that if there was no war there would have not been such a rise in the cost of living and that a rise of the order of 11 points did call for full neutralisation.

121. Where dearness allowances are granted in cash, they necessarily add to the total volume of demand for specific commodities expressed in terms of money, and, if these commodities are in short supply, will tend to raise the prices of these commodities. If these allowances are paid to industrial workers, they can be paid by a contraction of profits to the industrialist; or if they cannot be so paid they may result in prices of the commodities manufactured being raised. If the articles, the prices of which are thus raised are themselves the constituents—a familiar example is the product of textile industry—of any index by which the dearness allowance is governed, the amount of the dearness allowance will again rise. A spiral is thus created in which the mounting prices and mounting dearness allowance continue to act and react upon each other. This argument of course has bearing upon the grant of dearness allowance to the employees by the industrial cncerns. It has no application to a Government Department like the Posts and Telegraphs, the accounts of which are no doubt kept on commercial basis, but which cannot strictly be called a commercial or profit-making concern. In any case, it does not appear necessary to consider further the principle whether dearness allowance should be granted or not, for, since 1941 at any rate, Government have recognised that dearness allowance is necessary in the case of employees of the Posts and Telegraphs Department and have from time to time sanctioned an increase in the dearness allowance, which was originally granted on the 1st April, 1941. The point for me to consider is the adequacy or otherwise of the allowances so granted, for the terms of reference require me to consider the allowances and other reliefs so far granted in coming to a decision as to whether any, and if so, what additional relief is necessary for the employees on the new scales of pay.

122. In considering this question one has to bear in mind certain principles which have found general acceptance. In paragraph 85 of the Report, the Rau Court of Enquiry accepted the proposition that full neutralisation of rise in the cost of living should be granted to persons who even before the war were consuming no more than was essential for health and efficiency. This principle does not apply to those who were living above that level and had a margin for retrenchment.

123. It will be generally recognised that the incidence of rising prices is bound to affect most adversely those sections of the wage-earning population whose 'standard of living' was, in absolute terms, a low one even before the changes brought about by the war, took place. It may be that changes in, the demand for labour, *e.g.*, in connection with the construction of war works may affect earnings favourably. That argument, however, would not apply to the permanent employees of Government, whose wages are fixed and do not fluctuate according to the condition of the labour market. In one or two instances the wages had to be raised for newly appointed temporary Telephone Operators. In order to attract employees and to prevent them from going to higher paid posts elsewhere, temporary men operators at Delhi had to be recruited on Rs. 60 and Lady Operators on Rs. 90 a month, though the permanent

operators were on a scale of Rs. 40—3—85. But such cases are few. Nevertheless, the danger that low paid wage groups may be pushed not only below their old standard, but below any standard consistent with efficiency, health and strength must be taken very seriously and must occupy a prominent place in any consistent and satisfactory policy of dearness allowances.

124. In that oft-quoted articles in the London " Economist " dated 20th January 1940, the following observations occur :—

> " Any attempt to raise all wage rates in proportion to the rise in the cost of living must be self-defeating. But there should be a second principle also ; no one whose wages provide no margin over the cost of minimum subsistence must be pushed below that level by the rise in prices. These should be the limiting factors on the one hand, no general adjustment to the cost of living ; on the other hand, no refusal to help those already on the poverty line."

The writer then goes on to say that wage increase should not come into play until the cost of living has risen above its minimum by more than a certain number of points, and then observes :

> " Beyond this point, the problem is to protect those whose incomes are nearest the minimum, without attempting to maintain the consumption of those who have a margin to spare."

125. The general conclusions to be drawn from the above discussion can be summarised thus :—

(1) No one whose wages provide no margin over the cost of minimum subsistence must be pushed below that level by the rise in prices ;

(2) Those who before the war, were just above the minimum subsistence level, should not be forced to go below such level ;

(3) In the case of others the compensation should be such as to be commensurate with their ability to make sacrifice ;

(4) The wage rates, particularly at higher levels, need not necessarily be raised in proportion to the rise in the cost of living.

126. What then was the wage prior to the war which provided no margin over the cost of minimum subsistence ? The Rau Court of Enquiry after an elaborate examination of the material then available, came to the conclusion that immediately before the war in the city, urban and rural areas the subsistence level was Rs. 35, Rs. 30 and Rs. 25, respectively. In the case of Bombay they came to the conclusion that the families of average size whose pre-war monthly income was less than Rs. 35 had no margin for retrenchment. They further held that the income group between Rs. 40 and Rs. 50 per month was just able to balance its budget by a slight reduction of standards on miscellaneous expenditure, but that the balance was likely to be upset by even a slight rise in prices, in which event that group would also be in need of relief. In the case of income groups above Rs. 50 they thought the position was easier in that the average family was able to balance its budget without any reduction of pre-war standards. Of course, the Committee had in mind the then rise in the cost of living which was only 11 per cent.

127. Having regard to that rise in the cost of living they recommended a dearness allowance of Rs. 3 for income groups drawing less than Rs. 30 per month which fully neutralised the rise so far as the employees drawing Rs. 30 per month were concerned and more than neutralised the rise in the case of persons drawing less than Rs. 30 a month. According to the scheme prepared

by them, which forms Appendix XIII of the Report, they contemplated that a rise of 5 points in the cost of living would bring within the field of relief income groups drawing Rs. 5 more in the respective areas and would also justify the grant of a dearness allowance of Rs. 1-8 more. I have no materials before me to come to a conclusion different from that of the Rau Court of Enquiry. My period of enquiry was limited to about 6 weeks and my conclusions must necessarily be based on such material as is available. Indeed in some cases the conclusions arrived at by the Rau Court of Enquiry would appear to err on the side of moderation ; for example, the Rau Court of Enquiry proceeded on the basis that an average family consists of three consumption units only. More recent investigations however, show that the average number of adult consumption units per family is more than three. The enquiries of Mr. Deshpande reveal that for all income groups of the working classes having an income upto Rs. 150 per month, the average number of adult consumption units per family is as follows :—

Jubbulpore	3·3
Akola	4·1
Howrah	4·1
Delhi	3·1
Ajmere	4·0
Sialkot	4·2
Khewra	5·1

128. Mr. Subramaniam's figures for the middle class family for income groups between Rs. 81 and Rs. 150, are as follows :—

Calcutta	3·8
Bombay	3·4
Nagpur	4·4
Madras	4·3
Delhi	3·5

129. From this it is clear that the minimum subsistence wage levels adopted by the Rau Court of Enquiry on the footing that there were only 3 consumption units in an average family, would require revision and if statistics which have now been collected, had been available when the Rau Court of Enquiry was sitting, the subsistence wage levels in all probability would have been higher than those actually found by the Court. Even assuming that the wage levels as found by the Court are correct, what is the position so far as the Posts and Telegraphs Department is concerned.

130. A person drawing a pay of Rs. 30 per month was found to have no margin for retrenchment and did require the rise in the cost of living to be fully neutralised and the Rau Court of Enquiry suggested a dearness allowance of Rs. 3 per month in order to neutralise the rise in the cost of living of 11 per cent. In the Posts and Telegraphs Department no dearness allowance whatever was paid from the beginning of the war till 1st April 1941. By that time the rise in the cost of living was 15 per cent. and persons drawing a pay of Rs. 30 and less must have suffered considerable hardships. From 1st April 1941 to 1st August 1942, the grain allowance varied in different provinces and it is difficult to estimate what effect the allowance had in neutralising the rise in the cost of living.

131. In Bombay, between 1st August 1942 and 31st May 1943, with the dearness allowance that was sanctioned, only those drawing a pay of Rs. 9 a month or less had their rise in the cost of living fully neutralised, although with the rise of 104 per cent. in the cost of living by 31st May 1943 a still larger number should have been included in the category entitled to full neutralisation of the rise in the cost of living. Between 1st June 1943 and 29th February 1944, the rise in the cost of living was 130 per cent. and here again under the relief granted by the Government in the shape of dearness allowance and good

conduct pay, only those drawing a pay of Rs. 10 or less a month had their rise in the cost of living fully neutralised. From 1st March 1944 to 30th June 1944, the average rise in the cost of living was 121 per cent. and here again under the relief in the shape of dearness allowance and good conduct pay, only those drawing pay Rs. 13-4 or less had the rise in the cost of living neutralised. From 1st July 1944 to 28th February 1946, the average rise in the cost of living was 127 per cent. The dearness allowance and the good conduct pay together with the grain concession neutralised fully the rise in the cost of living of only those who drew Rs. 25 a month or less. Under the existing rate of dearness allowance, good conduct pay and grain concession, those drawing Rs. 27 or less a month had their rise in the cost of living fully neutralised. The position in other areas, for example, Cawnpore and Sialkot, appears to be even worse.

132. In the textile industry in Bombay and Ahmedabad the rise in the cost of living of the textile workers has been neutralised to the extent of 75 per cent. Till the last year the industry at Ahmedabad neutralised it to the extent of 96 per cent. on the basis of the average wage of Rs. 35 a month. I realise that an industry which earns profits and distributes dividend is not to be compared with a Government Department which professes to be, in ordinary times, not a revenue earning Department. Even so, it will be seen that at no stage in the history of the dearness allowance and good conduct pay did the amount of relief sanctioned by the Government fully neutralise those income groups which were on the subsistence level in 1939 and who had no margin whatever for retrenchment. For most of the war period Government have fully offset the rise in the cost of living in city areas only of employees drawing Rs. 10 a month as pay and during the last year or two of those drawing Rs. 25 or less per month. Many employees drawing pay above those rates, though in fact below the subsistence level, must have had to suffer enormous hardship as they had no margin for retrenchment. It is therefore not surprising that from the evidence it appears that a large number of the lower paid staff in this Department have run into debt and have had to sell their ancestral property both moveable and immovable in order to provide themselves with money for living at a minimum subsistence level. Although the account given by some of the witnesses of the activities of Pathans and money-lenders *viz.* their lying-in-wait for the employees near post offices on the pay day and pouncing upon their prey as soon as they come out—may be somewhat exaggerated, there can be no doubt that indebtedness has increased since the war. No statistics were produced before me but Mr. Chatterjee of the All India Telegraph Union has attached to his memorandum a table showing indebtedness among the employees of the Central Telegraph Office, Calcutta. The table was prepared from the published reports of the Co-operative Credit Society Ltd. and the correctness of it was not challenged before me. The table is as under :—

INDEBTEDNESS TO CO-OPERATIVE CREDIT SOCIETY LTD.

CENTRAL TELEGRAPH OFFICE, CALCUTTA

Year	No. of Members.	Amount of Loans issued	Average loan per head per annum	Average loan per head per month
		Rs. A. p.	Rs.	Rs.
1939-40	675	2,32,840 11 0	345	28·7
1940-41	619	2,56,117 15 0	413·6	34·4
1941-42	630	3,74,088 0 0	593·7	47·1
1942-43	630	3,54,097 5 0	562	46·8
1943-44	657	3,65,648 0 0	556·5	46·8
1944-45	680	3,77,788 6 0	555·5	46·4
1945-46	695	5,76,000 0 0	541	46·3

133. It will be seen that the number of members borrowing from the Society has steadily increased. There was a sharp rise in the amount borrowed in the year 1941-42 and thereafter the amount of loan issued every year has remained steady. The average loan borrowed per head per annum is about Rs. 550 every year. In examining these figures it has to be borne in mind that the employees entertained on a purely temporary basis are not allowed to be members of the Posts and Telegraphs Co-operative Societies and are therefore unable to borrow from them. As a large portion of the additional staff recruited since the commencement of the war was on a temporary basis, an increase in the staff itself cannot result in the increase in the number of borrowers from the Societies. Another factor which has to be remembered in this connection is that many of the Co-operative Credit Societies have a bye-law laying down the maximum limit upto which individual members may borrow. Once that limit is reached the members have to seek other avenues of borrowing. Therefore the fact that the total borrowings have more or less remained steady after 1941-42 may be attributed to this circumstance. A third point which was stressed during the arguments was the difficulty of obtaining sureties without which no Co-operative Society gives any loan. This may have operated as a check to further borrowings. Many witnesses gave evidence—(and some actually produced vouchers of the transactions) that they have had to sell their moveable and immovable property in an effort to raise money to meet their everyday requirements or to liquidate their debt. Under these circumstances it seems to me that not only is there need for immediate addition to the relief which they have already received, but that some lump sum payment is desirable for making amends in some measure for the considerable hardship which the employees on the new scales of pay have suffered and to enable them to free themselves to some extent from the burden of debt which must have accumulated owing to the reluctance of the Department in the past to give allowances sufficient for maintaining their health and efficiency.

CHAPTER VII.—PRESENT DAY COST OF LIVING

134. The next point to be considered is what in 1945 was the cost of living of the working class and the middle class families, the two main classes of the Posts and Telegraphs employees with whom this adjudication is concerned. The distinction between the two classes cannot always be expressed in terms of money incomes. Many of the working classes such as mill workers at present are drawing emoluments higher than those of clerks, who belong to the lower middle class, whose standard of living is admittedly higher, and who do work of more responsible character than the working classes. As pointed out by Professor Ghosh and Mr. Dighe in their pamphlet on the enquiry into the economic conditions of the lower middle classes in service in Baroda City :

" The lower middle class occupies a peculiar place in the structure of modern society. In terms of income, its members are, slightly, if at all, better off than the better paid skilled workers ; but in respect of preferences, inclinations and aspirations, they belong to a larger group of which the other sections are the upper middle class and the rich. The lives of many of them must, therefore, be a continuous and often unavailing conflict between limited means and exacting ends. " In a later part of the same report the learned authors have pointed out the limitations of measuring, in a statistical form,

the standard of living of persons in the lower middle class. They say :

" We have collected, compiled and presented in the form of a connected story some aspects only of the standard of life in our social class. Here again, in a purely statistical study like ours, we could include only those elements like income, expenditure, etc., that are objective and measurable. These are obviously very significant ; they are indeed the main determinants of the standard of living. But we should not forget that even in the aggregate they do not make up the standard of life of a person or a class, and that in the ultimate analysis, the standard of life is a pattern of living, a quality of existence, which cannot be statistically measured."

135. The amount of food, clothing etc., which suffices for a person belonging to the working classes would, from the physiological standpoint, suffice even for a middle class man regarding him purely as a human machine. But the standard of life, the quality of the food which he consumes, his educational status, his habits of life, the kind of work he does and the nature and responsibilities of the duties he undertakes, have all got to be taken into consideration in fixing his remuneration.

136. The working class has been defined for the purpose of Mr. Deshpande's enquiries as those employed in factories registered under the Indian Factories Act and engaged on manual work other than purely clerical or supervisory work. The working class cost of living has therefore been worked out in respect of all these men irrespective of what income they get. Mr. Deshpande has worked it out even for those whose income is more than Rs. 100 a month. On the other hand, the Bombay Middle Class Cost of Living Enquiry of 1922-24 was confined to the family budgets of persons whose income was not less than Rs. 50 or more than Rs. 700. But most of these budgets were for families with incomes between Rs. 75 and Rs. 225 per mensem and who therefore may be regarded as belonging to the lower middle class. As the standard of life of a Postman for instance does not change as soon as he becomes a clerk, we may adopt for Postmen, Packers and other Inferior Staff of the Posts and Telegraphs Department the standard accepted for the working classes and for clerks and other allied cadres standards adopted for the lower middle class.

137. Mr. Dalvi has, however, strenuously argued that having regard to the standard of education of Postmen and Packers, they should be regarded as belonging to a somewhat higher strata of society than the working classes and the inferior servants of Provincial Governments. There is a certain amount of plausibility in this argument and it has to be conceded that they, specially the Postmen, do occupy somewhat higher position in the social stratification than the mill workers or the inferior servants of the Provincial Governments ; but we cannot escape the fact that among the generally recognised standards, their standard of life approximates more nearly to that of the working classes than that of the lower middle classes. In the memorandum submitted by the Bombay Postmen Union and the Post Office Lower grade Staff Union to the Krishna Prasada Committee, no attempt was made at any stage to compare the standard of these categories of staff with that of the lower middle classes. It is true that it was asserted that their standard of living was higher than that of a person belonging to the working classes ; but at the same time in measuring the rise in the cost of living of these men, the standard that the union adopted was that of the working classes. Mr. Deshpande in his evidence also has expressed the opinion that although it is true that Postmen are somewhat better

educated than an average working class man, yet the yard-stick to be adopted in measuring their cost of living would more appropriately be the standard of the working classes rather than that of the middle classes. Mr. Deshpande also said that he had moved in the working class areas in Bombay and found several Postmen living among them, but he had never, before the war, come across a clerk or any one belonging to the lower middle class living in that locality or adopting that standard of living. The Postmen, Lower Grade Staff and other Inferior Servants might therefore more appropriately be placed among the working classes and the clerical and other allied cadres among the lower middle classes.

138. It is not altogether easy to arrive at an estimate as to what is the present day cost of living for the working classes. The Rau Court of Enquiry considered what the minimum cost of living was in 1939. After uttering a word of caution that their estimate of what was called a "poverty line" or "subsistence level" was arrived at only for the purpose of calculating dearness allowance and that their estimates, necessarily diffident, were only for the limited purpose of deciding at what level of income the dearness allowance should be given, they proceeded to examine the data that were available to them. On the authority of the pamphlet on "Balanced Diets" issued by the Bombay Presidency Baby and Health Week Association in 1935 and of Dr. Aykroyd's formula given in his Health Bulletin No. 23, they came to the conclusion that an expenditure of Rs. 17-8-0 per month was necessary for food and fuel for a normal family of four persons equivalent to three consumption units in Bombay. (See paragraphs 75 and 76). That was just before the war when the cost of living index number for Bombay City was 104. The Court of Enquiry then proceeded to calculate the total expenditure of the family which spent Rs. 17-8-0 on food and fuel. They argued that since food and fuel constituted 52% of the entire expenditure of a family, in order to be able to spend Rs. 17-8-0 on food and fuel, the family should have a total monthly income of Rs. 35. On that calculation they came to the conclusion that in the city of Bombay families of average size needed, in pre-war times, a monthly income of not less than Rs. 35 and that with the rise in the cost of living due to the war, such families would have had no margin for retrenchment. (See Paragraphs 95 and 96). Then they considered the position of income groups between Rs. 40 and Rs. 50 per month and found that an average family in this income group could just balance its budget by a slight reduction of standards on miscellaneous expenditure. But the balance was likely to be upset even by a slight rise of prices, in which event that group would also require relief. They thought that in the income-groups above Rs. 50 per month the position was easier and that the average family, with 11 per cent. rise in the cost of living, would be able to balance its budget without any reduction of pre-war standards. Basing one's calculations on these findings, the position at present would be as follows.

139. The subsistence level was found to be Rs. 35 a month when the cost of living index number for the City of Bombay immediately before the war was 104. The average index number for the whole of the year of 1939 was 106. The average index number for the year 1945 was 235. On this basis the present cost of living would be $\frac{35 \times 235}{106}$ = Rs. 78 per month. It would thus appear that a wage of Rs. 78 a month would maintain a worker on the same standard as Rs. 35 a month (which left him little or no margin for retrenchment) did immediately before the war. The index number of 235 for the year 1945 takes into account the percentage rise in the various expenditure groups required for an ordinary working class man and also the fact that in respect of house-rent

there has been no rise during these years owing to the operation of rent-restriction measures.

140. For Nagpur, which is an urban area and classified as 'B' for the purpose of dea ness allowance by the Posts and Telegraphs Department, the Rau Court of Enquiry estimated that Rs. 30/- would be the minimum subsistence level. With base August 1939 as 100, the cost of living figure for 1945 was 259. On this basis the present day cost of living at Nagpur would be $\frac{30 \times 259}{100}$ which is Rs. 78. This Nagpur figure, however, takes no account of the item of house-rent, which is an important item in the case of urban areas. Owing to rent-restriction orders, there has presumably been no appreciable rise in house-rent and therefore the omission of this item from a family budget would have the effect of exaggerating the rise in the cost of living index figure. If allowance is made for this factor, then the subsistence level at Nagpur at present would be somewhere in the neighbourhood of Rs. 70/-.

141. For the rural areas, the similar figure arrived at by the Rau Court of Enquiry was Rs. 25/- for 1939. As shown in the preceding chapter, no cost of living figures have been worked out for the rural areas and therefore one may apply the general rise in the cost of living for the whole of India, namely, 175 per cent. The present day cost of living in the rural areas would then be $\frac{25 \times 275}{100}$ = Rs. 69.

142. These figures, however, do not take into account any deterioration that may have occurred in the standard of living due to conditions created by the war such as rationing, nonavailability of commodities, housing congestion, etc. To take one or two examples; there is at present scarcity of cloth and this scarcity is likely to continue for a few years more. Owing to this scarcity, families may not be able to purchase cloth to the same extent as they did before the war. It is also possible that the higher prices that are being demanded for cloth may also have the same effect in reducing the normal consumption of cloth. Therefore, merely multiplying the expenditure on cloth by the rise in the cost of the material (which forms an ingredient of the higher cost of living index) would not indicate the present day expenditure on the clothing of the family. Similarly, with the introduction of rationing it is not possible, even if one wishes to do so, to spend more than a limited amount on cereals, sugar, kerosene, etc., unless one resorts to the blackmarket. When the quantities allowed under the rationing scheme are less than those consumed before the war mere multiplication of the expenditure on cereals by the percentage rise in the food group would not, even after giving it a proper weightage, give a correct picture of the present day conditions. Mr. Deshpande has given a third instance of a similar type. There is scarcity of accommodation everywhere at present and people are now sharing houses instead of having independent residences of thier own. Thus, they are sharing the rent and the expenditure of an individual family on rent must therefore have gone down to some extent. All these instances suggest that there has been a compulsory reduction in the standard of living and mere arithmetical calculation based on the rise in the cost of living would not indicate the actual present day expenditure of a working class family in the city, urban and rural areas. If one were to make an allowance for such deterioration in the pre-war standard of living, it may perhaps be taken that a sum of Rs. 65/- to Rs 70 represents the present day cost of living of an average working class family of 3 consumption units in A areas, and a sum of Rs. 55/- to Rs. 60/- for B and C areas.

143. Another line of inquiry is to find out what the actual expenditure on food is in the various areas and to deduce therefrom the average total

expenditure for a family of 3 consumption units. For this purpose the figures collected by Mr. Deshpande may be utilised. They are as follows :—

'A' Areas	Total expenditure on food	Average number of consumption units	Expenditure on food per consumption unit
	Rs. A. P.		Rs. A. P.
Bombay	43 12 9	3·20	13 11 3
Ahmedabad	40 12 3	3·57	11 6 9
Weighted average per consumption unit			12 7 11
Weighted average per 3 consumption units			37 7 9
Average percentage of expenditure on food at Bombay			49·95
Average percentage of expenditure on food at Ahmedabad			54·14
		Average	52

Therefore, total expenditure of an average working class family in A area is $37\text{-}7\text{-}9 \times \frac{100}{52}$ = About Rs. 72.

'B' Areas	Total expenditure on food	Average number of consumption units	Expenditure on food per consumption unit
	Rs. A. P.		Rs. A. P.
Delhi	36 15 2	3·12	11 13 6
Lahore	48 15 5	4·37	11 3 3
Jubbulpore	37 1 2	3·29	11 4 3
Weighted average for one consumption unit			11 6 6
Weighted average for 3 consumption units			34 3 4
Average percentage of expenditure on food at Delhi			60·90
Average percentage of expenditure on food at Lahore			59·42
Average percentage of expenditure on food at Jubbulpore			54·78
		Average	58

Therefore, total expenditure of an average working class family in B area is $34\text{-}3\text{-}6 \times \frac{100}{58}$ = About Rs. 59.

'C' Areas	Total expenditure on food	Average number of consumption units	Expenditure on food per consumption unit
	Rs. A. P.		Rs. A. P.
Akola	34 0 8	4·10	8 4 10
Sholapur	38 12 3	4·40	8 13 0
Jalgaon	34 4 2	4·54	7 8 9
Weighted average per consumption unit			8 3 4
Weighted average for 3 consumption units			24 10 0
Average percentage of expenditure on food at Akola			54·71
Average percentage of expenditure on food at Sholapur			50·05
Average percentage of expenditure on food at Jalgaon			56·57
		Average	54

Therefore, total expenditure of an average working class family in C area is $24\text{-}10\text{-}0 \times \frac{100}{54}$ = About Rs. 46.

144. It would be noticed that the figures for 'A' and 'B' areas are very nearly the same as those arrived at on the basis of the conclusions of the Rau Court of Enquiry,—*viz.*, Rs. 65/- to Rs. 70/- for 'A' area and Rs. 55/- to 60/- for 'B' area. It is true that the figure for 'C' areas *viz.*, Rs. 46 is lower than that deduced from the conclusions of the Rau Court of Enquiry. But in my opinion it would be unsafe to base one's conclusion as regards the cost of living in 'C' areas on the basis of this figure which is based on the actual expenditure on food of Rs. 8-3-4 per month per consumption unit. This works out at a little over 0-4-0 per day for food. At the present rates this sum would purchase only little over ½ seer of rice—leaving no margin for purchasing other essential commodities. It is impossible to believe that a person can provide himself with 2 meals and 2 cups of tea within an expenditure of 0-4-0 a day. The fact that people are actually living on that sum only proves that the standard of living has considerably deteriorated in 'C' areas and that they are trying to live within the meagre sum of Rs. 8/- a month for food by denying themselves even bare necessities of life. According to the evidence led before me the lowest expenditure on food was that of witness No. 36 of Kalka—who spent Rs. 10/8/- per mensem for each consumption unit and I cannot find from his budget that he has at all been extravagant in his expenditure on food.

145. These conclusions are fortified by a third line of inquiry *viz.*, finding out at which figures the budgets are being balanced in the different localities. Mr. Deshpande's figures show that in Bombay the income group between Rs. 60 and Rs. 70 was just able to balance its budget with an expenditure of Rs. 67/8/3. In the next income group of Rs. 70 to Rs. 80, there was a small surplus in the budget. We may, therefore, assume that a family was able to balance its budget with a monthly income of Rs. 67/8/-. This figure was for a family of 3·57 persons. It is not clear how many consumption units it represented. But if we assume on the figures given by Mr. Deshpande that for the whole of India the average number of persons in a family is 4·55 and the consumption units are 3·71, then for the average number of 3·57 persons, the consumption units would be about 3. It would thus appear that for a family with 3 consumption units the working class budget in Bombay can be balanced at about Rs. 65 to Rs. 67. Mr. Deshpande has given his opinion that the figure at which the budget is balanced may be regarded as the essential minimum requirements of the family. We may, therefore, take it that Rs. 65/- to Rs. 70/- per month represents the minmum requirements of an average working class family with three adult consumption units in Bombay at present. This is the figure which was arrived at by me, following different lines of reasoning earlier in this chapter. No absolute precision is possible in such matters, but I believe that the figure which has been arrived at is not far wrong.

146. For the urban areas one may again take Nagpur, which was studied by the Rau Court of Enquiry and which may be regarded as typical of the 'B' areas under the Posts and Telegraphs Department's classification, but figures of Mr. Deshpande's investigations for Nagpur are not available. We may therefore take Jubbulpore, as the nearest approximation to Nagpur conditions and for which figures are available For Jubbulpore those in the income groups between Rs. 80 and Rs. 90 were found to be able to balance their budgets with an expenditure of Rs. 84-10. The average number of persons in the family at Jubbulpore was 5·26 and the consumption units were 4·37. In reducing the expenditure to 3 consumption units, one has to remember that the expenditure on house rent and fuel and lighting would be the same whether the consumption units are 3 or 4·57. Those items should therefore be regarded as constant and the expenditure on food, clothing and miscellaneous items should be correspondingly reduced. Out of the expenditure of Rs. 84-10-0, Rs. 75-8-0

was on food, clothing and miscellaneous items and Rs. 9-2-0 on the rest. Reducing the figure Rs. 75-8-0 for 3 consumption units, we find that on these items the expenditure would be $\frac{3 \times \text{Rs. } 75\text{-}8\text{-}0}{4 \cdot 57}$ = Rs. 51-13-0. This with the expenditure of Rs. 9-2-0 on the remaining items brings the total expenditure for a normal family of 3 adult consumption units to Rs. 60-15-0, which is very near the figure arrived at by other methods of calculation.

147. For the rural areas we may perhaps take the case of Sialkot, which is included in the 'C' category under the Posts and Telegraphs Department's classification. The position there is as follows: In the income group between Rs. 60 and 70 there was a surplus of Re. 1-4-0 with an expenditure of Rs. 65-9-0 We may therefore perhaps conclude that a family with an income of Rs. 64 was able to balance its budget. The average number of persons in a family at Sialkot was 4·94 equivalent to 3·85 adult consumption units. Out of the total expenditure of Rs. 65-9-0 the expenditure on food, clothing and miscellaneous was Rs. 58-9-0 and on other items Rs. 7-0-0. Adopting the same method of calculation as in the case of Jubbulpore, we find that the expenditure on food, clothing and miscellaneous for 3 consumption units comes to Rs. 45-10-0. Adding to it the expenditure of Rs. 7-0-0 on other items—we get a total expenditure of Rs. 52-10-0 for an average family of 3 consumption units at Sialkot. This also supports the conclusion that the minimum income required for an average working class family in "C" area is between Rs. 55 and Rs. 60 p.m.

148. So far as the middle classes are concerned the difficulty is very considerable. There have been no official family budget enquiries with respect to lower middle classes and the non-official enquiries have not arrived at any particular figure as representing the present day cost of living for the lower middle classes. After collecting the data, statistical results have been given as regards the percentage of expenditure on various items constituting a lower middle class family budget. In order, however, to arrive at an estimate of the lower middle class cost of living, Mr. Deshpande has suggested in his evidence, the correlation of the lower middle class family budgets with the working class family budgets by the application of a co-efficient. In 1922-24 there was a middle class family budget enquiry in Bombay and it was found that a family consisting of 4·58 persons spent Rs. 138-5-0 per month (see Pages 31 and 34 of the Report). But the average expenditure of the middle class family in the lowest income group (having incomes between Rs. 75 and 125) per month was Rs. 103-4-0. In 1923 the cost of living index figure was 155 whereas in 1938-39 it was 104. According to these index numbers the cost of living of the same family would be $\frac{103 \times 104}{155}$ = Rs. 69 in 1938-39. The lowest income group in the middle class budget enquiry consisted of 3·29 consumption units. Therefore for an average family of 3 consumption units, the expenditure required in 1938-39 would have been $\frac{69 \times 3}{3 \cdot 29}$ = Rs. 63. According to the findings of the Rau Court of Enquiry a working class family consisting of 3 consumption units required Rs. 35 for minimum subsistence. It follows therefore that the proportion of the relative cost of living of a working class family to that of a middle class family of 3 consumption units is 35 : 63, *i.e.*, the cost of living of a middle class family is about 80% higher than that of a working class family. According to the calculations made in the previous paragraph the present day cost of living for a working class family in Bombay is Rs. 65 to Rs. 70 a month.

Applying the ratio arrived at above, the present day cost of living for a middle class family in Bombay would be between Rs. 117 and Rs. 126 per month. Similarly in urban and rural areas the cost would be between Rs. 99 and Rs. 108 per mensem.

149. One may test these figures from the results of the enquiry which Mr. Subramaniam, Statistician to the Economic Adviser to the Government of India, has been conducting into the budgets of the Central Government employees (excluding Railway employees) in various places in India. The results of his enquiries may be tabulated as follows for certain selected places :—

	Locality	Number of budgets analysed	Average income	Average expenditure	Families		Expenditure excluding P.F., insurance & payt. of loans, interest & remittances	Expdr. for a family of 3 consumption units*
					Average number of persons	Consumption units		
			Rs.	Rs.			Rs.	Rs.
A	Calcutta	55	120	181	5	3·8	159	127
A	Bombay	27	114	196	4·6	3·4	177	159
B	Nagpur	12	115	184	5·9	4·4	164	119
B	Madras	26	109	173	5·8	4·3	164	122
B	Delhi	21	106	176	4·9	3·5	161	142

For 'C' area towns in the various Provinces the figures are as follows :—

Locality	Number of budgets analysed	Average income	Average Expr.	Families		Expdr. excluding P.F., insurance and payt. of loans, interest & remittances	Expdr. for a family of 3 consumption units*
				Average number of persons	Consumption units		
		Rs.	Rs.			Rs.	Rs.
Bombay	11	112	158	5·1	3·9	153	123
Punjab	13	110	174	6·4	4·6	163	112
Madras	16	111	180	6·4	4·6	163	114
U.P. Zone	10	104	147	5·3	3·7	135	112
C. I. Zone	10	124	157	7·8	5·6	152	89

*Calculated in the same way as for working classes earlier in this chapter.

150. It would appear from this that the figures arrived at by the application of the ratio are not very different from the figures of expenditure of a lower middle class family according to the statistics collected by Mr. Subramaniam. These statistics further show that there is very little difference between 'B' and 'C' areas in the matter of the cost of living. Mr. Subramaniam has taken the income group of Rs. 81 to Rs. 150, while the calculations made according to the method suggested by Mr. Deshpande are in respect of the income group from Rs. 75 to Rs. 125. The difference between the two is not very great; but Mr. Subramaniam having included in his statement budgets of people earning between Rs. 125 and Rs. 150 p. m. the average expenditure per family of 3 consumption units is bound to be higher than the figure arrived at according to the calculation suggested by Mr. Deshpande. On the basis of the calculation suggested by Mr. Deshpande and the actual investigation of Mr. Subramaniam, one may perhaps conclude, although no precision is possible, that the cost of living of an average lower middle class family at the present level of prices is between Rs. 120 and Rs. 125 in places like Calcutta and Bombay and between Rs. 100 and Rs. 105 for 'B' & 'C' areas. A large percentage of the lower middle class employees of the Posts and Telegraphs Department belong to the income group of Rs. 75 to Rs. 125 and therefore the conclusions arrived at above should also hold good in their case.

CHAPTER VIII.—STANDARD BUDGETS AND THE EVIDENCE

151. In connection with the question of the present day cost of living for working class and middle class families in A, B and C areas, I might consider the standard budgets, which have been produced by the Federation and the All-India Postmen and Lower Grade (including Railway Mail Service) Staff Union and also the evidence led by them in support of those budgets. It would be convenient if I first deal with the standard budget produced and the evidence led by the All-India Postmen and Lower Grade (including Railway Mail Service) Staff Union.

PART I

152. In paragraph 5 of its memorandum the All-India Postmen and Lower Grade (including Railway Mail Service) Staff Union adopts as its own, the memorandum dated the 18th December, 1944, submitted on behalf of the Bombay Postmen Union and the Bombay Post Office Lower Grade Staff Union to the Postal Enquiry Committee, 1944, "in so far as the same is relevant to the terms of reference to this adjudication" and says that it would rely on the statements made in the said memorandum and on the annexures thereto. One of the annexures is Statement No. 15A, which is described as "a Standard Family Budget consisting of a family of a husband, a wife and three children aged 14, 10 and 3 in Bombay (presumably in 1944)." That statement says—"The following are the minimum requirements per month. The prices are calculated as per controlled rates and quantity as per Ration Scheme." The budget goes on to give the details of various items which go to constitute a family budget and Section No. I in that Statement purports to include all the items under the heading of food. Section No. 2 relates to fuel and lighting and under Section No. 3 it is stated that provision has not been made for rent, clothing, medicines, education, train and tram fare, travelling expenses, soap, barber, and interest on loans. So far as the food articles go the expenditure is shown as Rs. 41-8-0 and under fuel and lighting the expenditure is Rs. 10-9-0, thus showing a total of Rs. 52-1-0, under these two heads excluding the various heads of expenditure enumerated in Section No. 3. In

reply to this memorandum the Department pointed out that on this figure itself the claim made by the union was unsustainable. The argument was this. In the standard budget there was an expenditure of Rs. 52-1-0 under the head of food and fuel and lighting for a family which represented 4 consumption units. As a normal family is taken to be consisting of 3 consumption units, the cost under these heads for such a family would be three-fourths of Rs. 52, that is, Rs. 39. (This was not, of course, a correct way of reducing the expenditure to 3 consumption units. The cost of food should have been reduced by 1/4th, but not the expenditure on fuel and lighting, which would remain nearly the same whether the consumption units are 4 or 3. In this view the cost of 3 consumption units, on the budget prepared by the union, should have been reduced to Rs. 31-2-0 for food and with Rs. 10-9-0 for fuel and lighting the total would come to Rs. 41-11-0). The Department supported the argument that Rs. 39 was the correct expenditure for a working class family of 3 consumption units by reference to the results of Dr. Aykroyd's investigations. The cost of a balanced diet for a working class person according to Dr. Aykroyd's formula, on the prices prevailing in 1939, was Rs. 5-6-2 for each adult consumption unit (see page 134 of Rau Court of Enquiry's Report). On this basis the expenditure on food for a family of 3 consumption units would in 1939 have been Rs. 16-2-0. In August 1939 the cost of living index figure for Bombay was 105. As the cost of living index figure had risen to 231 in 1943 (just before the standard Budget was prepared), the cost on food and fuel for a working class family of 3 consumption units would be about Rs. 39. The Department further went on to point out that according to the Government of India's enquiry at Calcutta in 1944 based on 600 budgets, the cost of items other than food for the poorer class families was about 25 % of the whole budget. On this computation, therefore, the Department argued that in Bombay the total expenditure of an average working class family at the present day would be in the neighbourhood of Rs. 55. As the minimum wage in Bombay was Rs. 59 with the addition of grain concession, it was submitted, that there was no need for any further relief.

153. Faced with this reply the union set about amending the original budget and when the case was opened by Mr. Dalvi on behalf of the union, he submitted a correction slip to the standard family budget on which reliance was originally placed and which was stated "to contain the minimum requirements for a working class family of four consumption units." This correction slip worked out the total expenditure for 3 consumption units as follows :—

	Rs.	A.	P.
Food—Rs. 41-8-0 (for 4 consumption units) × 3/4 (for reducing the expenditure to 3 units) :	31	2	0
Fuel and lighting	10	9	0
Rent	12	0	0
Cloth	10	0	0
Medicine, education and miscellaneous items	10	0	0
Milk	5	10	0
Vegetable ghee	1	14	0
Other Miscellaneous items including potatoes, mutton, fruits, etc.	13	8	0
Conveyance	3	12	0
Travelling expenses from and to native place	5	0	0
Total . .	103	7	0

154. The correction was clearly in the nature of an after thought. It is true that the original budget was somewhat defective inasmuch as it made no provision for ghee or milk for purposes other than tea. The budgot was said to represent the minimum requirements per month and it appears to have been assumed that no milk in any other form was required to be consumed and that ghee was not a necessary article of diet. Mr. Sajnani on behalf of the Department was prepared to concede that these items should be included in a normal working class budget, but he pointed out that even if provision was made for these items, all these requirements could be adjusted within Rs. 39 if proper quantities had been taken and correct prices had been shown in computing the cost of the different articles of food. This led to an examination of the various quantities that were shown as the minimum requirements and it was discovered that both the prices and quantities were inaccurate judged by the present standards. For instance in Bombay at present 3 seers is the ration of cereals for each adult per week. If the person happens to be a manual worker the ration is increased to 4 seers per week. For a family of 3 consumption units, therefore, it may be taken that the ration is 10 seers per week, that is about 40 seers per month. As against this, the budget shows a provision of 76 seers for 4 consumption units, that is about 57 seers for 3 units. With regard to salt the quantity needed is shown as 2½ Paylees, whereas the 3 actual budgets produced at Statements No. 4(1), 4(2) and 4(3) show that one paylee of salt would be ample provision for an average family. Similarly in respect of prices, the price of rice is shown as 0-13-0 a paylee whereas the controlled price is 0-10-0 a paylee: for wheat the price shown in the budget is Rs. 1-2-0 a paylee whereas the controlled price is 0-9-0 a paylee. It would thus appear that it was not possible to accept the quantities and rates shown in Statement No. 15A as representing the correct expenditure on food items. Similarly in respect of fuel and lighting the expenditure shown is Rs. 10-9-0. The enquiries conducted by Mr. Deshpande during the year 1944 show that the average expenditure on fuel and lighting for all income-groups in Bombay is Rs. 8-9-0. Under the heading of rent the expenditure shown is Rs. 12 per month. According to Mr. Deshpande's figures the average house-rent paid by working class families based on an examination of 1246 family budgets is Rs. 6-1-3. The expenditure on clothing may be accepted, for according to Mr. Deshpande's investigations the average expenditure is Rs. 10-7-10. It is, however, not possible to accept the various items of expenditure, which have been twice shown once under the heading "miscellaneous" and again under the heading of conveyance and travelling expenses, etc. It is difficult to believe that Rs. 105 are spent every year by a working class family in travelling expenses and conveyance charges. Even from the amended budget it is difficult to calculate the total expenditure on food as that expenditure appears under three different headings, "food", "milk and vegetable ghee" and "other miscellaneous expenditure", which includes potatoes, mutton and fruits although the heading "food articles" in Section I of the original budget included vegetables and fish. For these reasons, it would, in my opinion, be difficult to accept even the amended budget submitted by the All-India Postmen and Lower Grade (including R.M.S.) Staff Union as representing the present day cost of living of an ordinary working class family in Bombay.

155. Coming to the actual evidence led by the union, it must be said that it is not altogether satisfactory. Among the 23 witnesses (Nos. 31 to 53) examined by the union, 7 witnesses (Nos. 34, 40, 41, 45, 46, 47 and 53) were examined merely for the purpose of showing how onerous the service conditions of the Postmen and Inferior staff were. The more important grievances that were brought on record are collected in Appendix XIV. Briefly they refer to the inadequacy of the reserve staff which result in longer hours of work and the difficulty in getting leave. The witnesses complained

that beats were heavy and very often they had to carry heavy loads for which the cooly charges paid by the Department were inadequate and the deficit had to be made good by the Postmen out of their private funds. It was submitted that on holidays and on Sundays they had to do extra work for which they received no compensation. Many witnesses complained about not getting uniforms, umbrellas and other out-fit in time. Others had a grievance about the unsatisfactory conditions of the quarters in which they were housed. There was also complaint about the non-payment of the kit allowance at Simla although the employees of other Departments—even though permanently stationed there—were given such allowance. My attention was invited in this connection to a copy of Finance Department No. D. 253-RI-45 dated 1st of February 1945 addressed to all the Departments of the Government of India. In more than one case, particularly in respect of Railway Mail Service employees, there was a complaint about the outstation allowance being inadequate to cover the additional expenditure involved in outstation duties. The alleged inadequacy of the allowance given for detention at the station when the trains were late was emphasised by some witnesses. Other witnesses had a grievance with regard to the avenue of promotion to the clerk's cadre being closed to the Postmen as a result of insistence by the Department of passing a stiff departmental examination. In one case there was complaint that owing to the bifurcation of the Post Office and Railway Mail Service, the Posts of Sorting Postmen were now given to the employees on the Railway Mail Service and not to the Postmen working in Post Offices. A detailed examination of each of these grievances will require separate investigation and it is not within the scope of this adjudication to undertake such an inquiry. The Department will no doubt look into them and consider sympathetically such of them as are found to be genuine.

156. The remaining 16 witnesses were examined primarily for the purpose of proving that the pay and allowances that they were getting were totally insufficient to meet their every day expenses and for establishing that they were either running into debt or had to fall upon the charity of their relatives. All these witnesses were cross-examined by Mr. Sajnani in order to establish either that their budgets were inflated or that they were not telling the truth when they said that they were incurring deficit month after month. In the course of the arguments, Mr. Dalvi complained that it was not fair on Mr. Sajnani's part to cross-examine a witness by asking him as to why he had paid a particular price for a particular article when another had paid a different price for the same article in the same locality. It was further urged that it was not right on the part of Mr. Sajnani to ask one witness as to why he wanted a particular number of articles of clothing or particular amount of fuel when another witness could do with less. It was also submitted that the witnesses should not have been called upon to explain with very great accuracy how they were able to meet the deficits which accrued month after month. Mr. Dalvi argued that the important point was that there were deficits and that it was immaterial how they were actually met by the witnesses. The difficulty of course in all these budgets was that not one of the witnesses was able to show that he kept any detailed accounts of his expenditure so that his evidence could be tested by reference to those accounts. It is true that the evidence given by the witnesses was on oath; but it is the every day experience of the Law Courts that the sanctity of oath does not weigh equally with all persons. The evidence of some witnesses was on the face of it palpably false, such as, for instance, Exhibits 43 and 44. But in the case of other witnesses there was no other way of testing their evidence except by contrasting the evidence of one witness with that of another.

It is true that in respect of quantities consumed one had to see what the respective sizes of the families were. But in respect of the evidence as to prices especially of two witnesses coming from the same town, there should not be a wide divergence between the price quoted by one and that quoted by the other. Similarly in respect of deficits the whole of the cross-examination was to test whether in fact those deficits existed. If a witness gave a satisfactory explanation of how he was able to meet that deficit then there was *prima facie* reason to believe that he had those deficits. But if the witness complained that he had very large deficits month after month and year after year and was not able to explain how he had met those deficits, it would perhaps be a legitimate inference that those deficits did not really exist. Judged by these criteria the evidence of a large number of witnesses proved to be unsatisfactory. It was difficult to believe that witness No. 31, a postman from Madras with an income of Rs. 72 per month should not be able to balance his budget when his family consisted of himself and his wife only. Witness No. 32, a postman from Delhi had an income of Rs. 51, but showed an expenditure of Rs. 113 with the result that there was a deficit of Rs. 62 which he said continued for 3½ years. It is true that his family was a large one, consisting of his mother, his wife, 2 daughters and one son. It is probable that an income of Rs. 51 would not be sufficient to maintain this family in a place like Delhi, but it is impossible to assume that his expenditure was Rs. 113. He was unable to explain how he was able to meet this large monthly deficit for several years and it seemed to me that the expenditure on various items was obviously inflated. The same remarks apply to witness No. 33, a postman from Cawnpore. His income was Rs. 51 and his budget showed an expenditure of Rs. 122 indicating a deficit of Rs. 71 lasting over 3½ years. He also had a large family, having father, mother, wife and a son to support and it is not unlikely that his income of Rs. 51 was not sufficient for his needs. But it is impossible to accept his statement that his expenditure was Rs. 122. He admitted that his budget was only an estimate and in his cross-examination he was not able to show how he met the deficit of Rs. 71 per month over a period of 3½ years. Witness No. 35 was a Packer (acting as postman) from Lucknow. His income was Rs. 49 and he showed an expenditure of Rs. 92 with a deficit of Rs. 43 over a period of 2 years. His family was a small one consisting of his wife and 2 daughters. His budget was also a mere estimate. He showed an expenditure of Rs. 30 a year on miscellaneous items of which he could give details only for Rs. 8 and he was not able to explain how the deficits were met for a period of 2 years. It was not unlikely that there was some deficit in his budget but the details in the budget statement were unreliable and the deficit appears to have been inflated. Witness No. 36 was a Railway Mail Service Porter at Kalka whose income was Rs. 35 a month and his budget showed an expenditure of Rs. 70. He had to support his family consisting of a wife, mother and two children and it is not unlikely that with an income of Rs. 35 he was not able to support his family. But some of the items shown are clearly unacceptable. Both this witness and witness No. 37, a postman from Dacca, showed considerable scepticism about the efficacy of medicines supplied in Government dispensaries and included in their budgets expenditure for medicines from private doctors. It is difficult to accept such evidence at its face value. Witness No. 38, an acting Postman from Dacca, who had an income of Rs. 48 showed an expenditure of Rs. 99. His family consisted of himself, his mother and his brother. This witness received Rs. 15 a month from another brother of his as contribution towards the maintenance of his mother and his younger brother and it is difficult to accept his statement that when he was incurring an expenditure of Rs. 99 a month he was " leading the life of a coolie ". He has had this deficit of Rs. 51 only for the last 4 months and although an

income of Rs. 48 at Dacca may prove to be insufficient for a family of 3 consumption units it is impossible to accept his submission that he incurred an expenditure of Rs. 99 per month on his family consisting of himself, his mother and his brother. Much the same can be said of witness No. 39 whose pay and allowances came to Rs. 45 a month and who said that his expenditure was Rs. 91/- per month. His family consisted of his wife and a son only 3 months old and for this family at Jubbulpore an expenditure of Rs. 91 seems considerably inflated. This witness also would not accept medicines from a Government dispensary and showed an expenditure of Rs. 7 a month on guests. He showed considerable expenditure on vegetables. The witness was inclined to be somewhat impudent while giving evidence and his testimony did not impress me favourably. Witness No. 42, a postman from Amritsar, showed an income of Rs. 55 and an expenditure of exactly twice that amount. He had a family consisting of his wife, his mother and two sons aged 15 and 13 and it is probable that for such a family an income of Rs. 55 would not go a long way. This witness promised to produce documents about certain lands which were said to have been mortgaged by him, but ultimately no such documents were produced. Witness No. 43, a Telegraph Messenger from Poona, was clearly unreliable. He gave a fanciful explanation for buying a superior quality of *chapals* by saying that cheap *chapals* got worn out in mounting and dismounting his bicycle. In trying to explain his deficit he said that he had pledged his ornaments and that he was blessed with a land-lady who did not insist on taking rent from him but on the other hand advanced loans to him. A mere perusal of the evidence of this witness is sufficient to show that no reliance could be placed on it. Witness No. 44, a Packer (acting as postman) from Poona was equally unworthy of credit. He showed an income of Rs. 48 and an expenditure of Rs. 80 when his family consisted of himself, his wife and his daughter, who was 5 years old. This witness does not seem to pay his debts to anybody and when called upon to explain his expenditure on the journey from Poona to Bagalkot said that he and his wife drank, during the night of the journey, 20 cups of tea each. The witness insisted that his wife would not wear a saree costing less than Rs. 16. Witness No. 49, a Railway Mail Service Porter from Poona, also seemed to be of doubtful veracity. His income was Rs. 43 per month and his budget showed an expenditure of Rs. 80 showing a deficit of Rs. 37 per month and when asked how he met this deficit said that he first borrowed from his maternal aunt and when that source was exhausted he began to touch his maternal uncle and thereafter his brother-in-law and now he has started borrowing from his wife's cousin. He has thus been tapping one source after another by turns. It is not easy to accept this fanciful explanation he has given of how he met his deficits.

157. It would thus appear that the evidence of these witnesses cannot be taken at its face value but it does indicate that in a large majority of cases the present emoluments are not sufficient to meet their every day expenditure. Mr. Dalvi in his summing up referred more particularly to the evidence of witnesses Nos. 35, 37 and 49 who have a normal family of a wife and 2 children. I have already stated that I am not prepared to accept the evidence of witness No. 49 although I am willing to assume that the income of witnesses Nos. 35 and 37 is not sufficient to maintain themselves and their families. Their deficits could not be as heavy as they purport to make out. All these budgets are mere approximations and it would be difficult from this evidence to deduce that any particular sum represented the minimum monthly expenditure of an average family of the class from which the witnesses came.

158. Taking the evidence as a whole some conclusions may perhaps be drawn. All the witnesses—except witnesses Nos. 36 and 50 of Jammu—

belonged to the places included in 'B' areas. Witnesses Nos. 36 and 50 spend Rs. 10-8-0 and 11-2-0 respectively per consumption unit on food. If we take Rs. 11 as the average, the expenditure for 3 consumption units is Rs. 33 per month on food. According to Mr. Deshpande's figures, in the lowest income group of under Rs. 30 per month, the expenditure on food is about 63·41% of the total expenditure. If so in order to be able to afford this expenditure the total income has to be about Rs. 53 which is near enough to the approximate figure which I have arrived at *viz.* Rs. 55 to 60 per month for 'B' and 'C' areas.

159. The rest of the budgets were of witnesses from 'B' areas. They showed some curious anomalies. Witness No. 31 from Madras spent, according to him, Rs. 31·6 per consumption unit on food while witness No. 22 from Kalka spent on food Rs. 10·5 per consumption unit. While witness No. 39 from Jubbulpore spent Rs. 25·14 per month per consumption unit on food, witness No. 51 from Amritsar could manage with Rs. 11·2 per consumption unit. Witnesses Nos. 20, 22, 31, 37 had some special reasons for incurring excessive expenditure as there were others in the family who were contributing towards their expenses. Witnesses Nos. 37 and 38 resorted to black markets and naturally enough the expenditure was abnormal. Witness No. 39 said that he spent every month Rs. 7 on guests. These can hardly be regarded as average budgets. Leaving these witnesses aside, the average expenditure per consumption unit on food comes to Rs. 12·8 per month. If the expenditure on food is taken to be 63% of the total, then in order to afford that expenditure the total income needs to be about Rs. 60 which is almost exactly the figure at which I arrived from other calculations.

PART II

160. I shall now come to the standard budget submitted by the Federation of Post and Telegraph Unions. This budget purports to be a typical middle class budget of an employee with a wife and 2 children in a "C" area, that is rural or semi-rural area. The budget is not an actual budget but one constructed on the basis of a chart given in the Nutrition Bulletin No. 1 published by the Food Rationing Adviser to the Government of India in the Department of Food. The Federation have taken the quantities shown as the minimum requirements per day per person for the various articles of food and have multiplied those quantities by 3 to show the consumption per family per day. They have shown what the cost of those quantities was before 1939 when the cost of living index number was 100, and what it was in December 1945, when the cost of living index number was 224. The following represents a summary of their budget :—

	1939			*1945*		
	Rs.	A.	P.	Rs.	A.	P.
1. Food	56	1	6	132	0	6
2. Fuel and Lighting	3	13	7	8	1	0
3. Clothing	7	2	0	18	11	0
4. House Rent	12	0	0	18	0	0
5. Miscellaneous :						
(*a*) Dhobi, washing etc.	2	8	0	6	8	0
(*b*) Scavenging, sweeping etc.	3	8	0	7	8	0
(*c*) Other items—sandals, umbrellas, etc.	4	4	0	14	1	0
	89	5	1	204	13	6

161. As an explanatory note to the budget, the Federation say that "in regard to animal products, 12 oz. of milk is computed to be equivalent in physiological value to 2 eggs, 2 oz. of meat and 2 oz. of ghee, fat or oil." In a second explanatory note they further point out that they have omitted

from the budget "the expenditure on furniture, utensils, education of children, medical expenses, recreation, subscription to journals, clubs and trade unions, travelling expenses, religious obligations, marriages, taxes, professional service, payment on loans, etc." The Department, in its reply, has shown what the correct quantities should be even on the basis adopted by the Federation, namely the chart from the Nutrition Bulletin No. 1. Taking the proper quantities, the Department has worked out what the cost would be at the correct rates in 1939 and in 1945. According to the Department taking the proper quantities and multiplying them by the correct rates the expenditure should be as follows :—

	1939 Rs. A. P.	*1945* Rs. A. P.
1. Food	15 2 9	47 14 6
2. Fuel and lighting	2 10 0	5 0 0
3. Clothing	5 0 0	14 0 0
4. House Rent	4 0 0	5 0 0
5. Miscellaneous		
(*a*) Dhobi, washing etc.	0 8 0	1 0 0
(*b*) Scavenging, sweeping, etc.	2 8 0	4 0 0
(*c*) Other items—shoes, sandals, umbrellas, etc.	9 0 0	13 8 0
	38 12 9	90 6 6

162. It would be noticed that the main difference between the budget prepared by the Federation and the correction applied by the Department is on the item of food. That item therefore requires examination in some detail. The following table shows the quantities taken by the Federation and the rate and cost as calculated by them for 1939 and 1945. It also shows the correction applied by the Department both as regards quantities and rates.

Quantity in seers	Federation				Posts and Telegraphs correction				
	1939		1945		Quantity in seers	1939		1945	
	Rate	Cost	Rate	Cost		Rate	Cost	Rate	Cost
1	2	3	4	5	6	7	8	9	10
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
(1) *Dals* 8·1	0 3 5	1 11 6	0 6 6	3 4 6	6	difft. rates for difft. pulses	0 14 0	difft. rates for difft. pulses	2 8 6
(2) *Cereals*—									
Rice 28	0 2 5	4 1 0	0 4 9	7 15 6	R. 13·5	0 1 0	0 13 6	0 4 0	3 6 0
Bajra 8	0 1 7	0 12 6	0 3 9	1 14 0	W. 13·5	0 2 9	2 5 0	0 4 6	3 13 0
	..	..	..	..	B. 4	0 1 0	0 4 0	0 3 0	0 12 0
(3) *Vegetable*— Leafy / Non-leafy } 24	0 2 3	3 7 0	0 10 0	15 0 0	9 / 13 } 22	0 1 1	1 8 0	0 6 0	8 4 0
(4) *Fruit* One orange or one apple and 4 bananas	..	7 8 0	..	19 11 0	5·4	0 3 0	1 0 0	1 0 0	5 0 0
(5) *Animal Products*—									
(*a*) Milk 22½	0 9 0	30 2 6	0 12 6	42 3 0	32 (22 Milk 10 in lieu of meat, eggs etc.)	0 2 0	4 0 0	0 6 0	12 0 0
(*b*) 2 Eggs / 2 ozs. meat / 2 ozs. ghee, fat, oil } or milk 33½					Ghee 1 / Oil 5.	0 1 0 / 1 4 3	1 1 0 / 1 5 3	3 8 0 / 0 15 0	3 8 0 / 4 11 0
						..	2 0 0	..	4 0 0
	..	8 7 0	..	42 0 6		..	15 2 9	..	47 14 6
(6) Sugar, Condiments etc.	..	56 1 6	..	132 0 6					
	..								

163. It would be seen that where the chart allows a latitude within certain limits as regards quantities, the Federation has taken the maximum quantities prescribed. The correction applied by the Department takes the average between the two limits. The chart says that 2 to 3 ozs. of pulses may be taken every day. The Federation have calculated on the basis of 3 ozs., while the Posts and Telegraphs Department have calculated at the average of 2½ ozs. The chart prescribes that 10 ozs. of wheat or 6 ozs. of wheat and 6 ozs. of rice or 10 ozs. of rice and 5 ozs. of Bajra, Jawar or Ragi should be taken every day. The Federation's Chart has taken all the cereals under the heading of rice and has made no allowance for any wheat being taken. The Federation's budget is presumably prepared under the instructions of a Madrasi employee. In South India usually no wheat is eaten while in North India people mostly consume wheat and very little of rice. In order that the budget may be a representative one the proper way to proceed would be to take rice and wheat in equal quantities as the correction applied by the Department does. So far as the prices in 1945 go, there is not very much difference between the rates adopted by the Federation and the Department as the prices are now mostly controlled. There is considerable divergence between the rates adopted for vegetables. The present day rate adopted by the Federation for a seer of vegetable is 0-10-0. The Department on the other hand has suggested that the proper rate to take is 0-6-0 a seer and have relied for adopting this rate on the figures supplied by the Economic Adviser to the Government of India both for 1939 and 1945. It seems to me that the rate suggested by the Department should be accepted especially as it is in conformity with the evidence given by various witnesses and also with the rates mentioned in the memorandum of the Union of Posts and Telegraphs where also the rate shown is 0-6-0 a seer. So far as the item of fruit goes, the Nutrition Chart says that one orange, or one banana or one apple should be taken every day. But if fruit is not taken an additional 2 ozs. of vegetables may be taken. The Federation in their budget have allowed one orange or one apple and 4 bananas and on that footing they have calculated the cost of fruits in 1939 as Rs. 19-11-0. There is no basis for substituting 4 bananas for one banana or for assuming that one apple is equal to one orange and 4 bananas. The correction applied by the Department is on the basis of Dr. Aykroyd's formula which says that 5·4 seers of fruit should be taken every month. On that basis the Department has allowed Rs. 5 for fruit in 1945. But the main objection taken by the Department is to the calculation adopted by the Federation in respect of milk, eggs, meat and fat. The Federation have budgeted for 22½ seers of milk as such to which the Department has taken no objection ; but as a substitute for 2 eggs and 2 ozs. of meat and 2 ozs. of ghee, fat or oil, the Federation have taken 12 ozs. of milk every day. The Federation apparently were under the impression that 2 eggs, 2 ozs. of meat and 2 ozs. of ghee, fat or oil were equivalent in nutrition value to 12 ozs. of milk. (See their first explanatory note). This is a misreading of the chart. The chart says " *if* meat and eggs cannot be taken one should take 12 ozs. of milk or even more ". This does not mean that 2 eggs and 2 ozs. of meat were equal in nutrition value to 12 ozs. of milk, but that, in addition to the 8 ozs. of milk, already provided for, 4 ozs. of milk more should be taken per day in lieu of eggs and meat. This was made clear in a reply received by me to an enquiry made as to what exactly was meant when 12 ozs. were directed to be taken in lieu of meat and eggs— whether those 12 ozs. were in addition to the 8 ozs. of milk or only 4 ozs. of additional milk in lieu of eggs and meat were required to be taken. The reply received from the Food Executive Officer, Food Department, Government of India, was that in lieu of 2 eggs and 2 ozs. of meat, 4 additional ozs. of milk should be taken. Therefore the whole of the provision of 12 ozs. of additional milk in lieu of eggs and meat appears to be misconcieved and

instead of having 33½ seers of milk in lieu of eggs and meat only 11 seers should be allowed. In the correction applied by the Department, apparently only 10 seers have been allowed. The mistake, however, is a very small one.

164. The last item of the Federation's Budget which provides for Rs. 42 a month for extra milk, coffee, sugar, spices, condiments, tamarind, etc., was on the face of it unacceptable and when this was pointed out in the reply of the Department, the Federation in their rejoinder gave a re-constituted budget giving an explanation of item Nos. 5 and 6 above.

165. There have been 2 or 3 versions of this rejoinder. But in the latest version, in their notes on family budgets, the Federation have attempted to explain the expenditure of Rs. 42-30 under item No. 5 and Rs. 42-0-6 under item No. 6 above.

A comparative statement is given below :—

	Federation's Figure	Department's Figure
	Rs. A. P.	Rs. A. P.
Item 5	42 3 0	20 3 0
Item 6	42 0 6	4 0 0
Total	84 3 6	24 3 0

Details

Items	Federation		Department	
	Quantity	Cost	Quantity	Cost
	Seers	Rs. A. P.	Seers.	Rs. A. P.
Milk	21·6	16 14 0	32	12 0 0
Extra Milk for children	10·8	8 7 0	...	...
Eggs	180	30 9 7	...	...
Meat	5·4			
Ghee	3·6	12 12 5	1	3 8 0
Cocoanut and Gingely oil	1·8	2 12 4	5	4 11 0
Curry powder and Condiments		1 9 9		
Sugar	3·6	1 14 0		
Tamarind	2·5	0 10 6		
Salt	Measure 1·5	0 3 10	...	4 0 0
Coffee	Seer 1·09	2 15 5		
Compensation for deterioration in quality of foodstuffs	...	5 6 8		
	...	84 3 6	...	24 3 0

166. It would be noticed that in this detailed statement as to how the figure of Rs. 84-3-6 has been arrived at, the Federation have given up their original plan of taking the equivalent of eggs and meat in terms of milk. Further they have added 10·8 seers of milk as extra milk for children. They have made a separate provision for ghee, cocoanut and "gingelly" oil for which no provision had been made in the original budget. According to the details furnished in the rejoinder the expenditure on sugar, salt, condiments, curry powder, etc., is not more than Rs. 5 whereas in the original budget under item No. 6 it was shown as Rs. 42-0-6. It was urged in the course of the argument that in the original budget there was a mistake and the words "ghee, fat or oil" should have appeared not under item No. 5 but under item 6 above. Even so, according to the amended budget the total under item No. 6 would have been not more than Rs. 20. Even making allowance for all the new items added to the original budget there was still a sum of Rs. 5-6-8 which could not be accounted for in order to make up the total of Rs. 84-3-6 and therefore the Federation inserted an item "compensation for deterioration in quality of foodstuffs, Rs. 5-6-8". It is obvious that such a budget cannot be accepted as a budget showing expenditure on food stuffs. The budget was intended to be a budget of actual expenditure and not a budget of nutrition value expressed in terms of money. In their amended budget the Federation have replaced 4 bananas by one banana thus adhering to the Nutrition Chart. The only flaw with the correction that the Department has applied is that in computing the expenditure on ghee and oil the Department has made a provision for one seer of ghee and 5 seers of oil. The exact ratio in which these two commodities are consumed by the lower middle class is not available and in the absence of any data it would not be unfair to assume that ghee and oil are taken in equal quantities. If that assumption is correct then the expenditure on this item would have to be increased by Rs. 5-2-0 which brings the total expenditure on food items to Rs. 53 in place of Rs. 47-14-6 as stated by the Department.

167. So far I have considered the quantities stated in the Federation's budget and those accepted by the Department. In the matter of rates there is considerable variation especially under items Nos. 3, 4, 5 and 6. According to the Federation the cost of vegetables has been calculated at the rate of Re. 0-10-0 per seer. Most of the witnesses that were examined stated the price was 4 to 6 annas a seer being of course the price of vegetables that are available during the particular season. The price is bound to be higher if demand is made for vegetables which are out of season. Mr. Kamble, Secretary of the Union of Posts and Telegraphs in his memorandum has given a list of prices prevailing in 1945 and there also he has shown that the vegetables were sold at the rate of Re. 0-6-0 per seer. Therefore the rate allowed by the Department, namely, Re. 0-6-0 per seer would appear to be a reasonable one. There is no basis on which the Federation have calculated the expenditure on fruit as Rs. 19-11-0. It has to be remembered that this budget has been prepared for "C" area, where generally only the local fruits are consumed and I am of the opinion that provision of Rs. 5 for fruit which the Department has allowed is reasonable. So far as items Nos. 5 and 6 above are concerned, the main difference is as regards the price of milk. The Federation seems to assume that even in "C" areas milk was sold in 1939 at the rate of Re. 0-9-0 per seer and is sold now at the rate of Re 0-12-6 per seer. The figure supplied by the Economic Adviser to the Government of India for Sialkot, which is a town in 'C' area, shows that the price of milk was 2 annas per seer before the war and in 1945 it was 6 annas per seer. The Department has calculated the present cost at the rate of Re. 0-6-0 per seer. Witness Kavleshwar also stated that the price of milk in Gaya before the war was

Re. 0-2-0 a seer. Mr Kamble in his statement No. 4 attached to the memorandum of the Union of Posts, Telegraphs and R. M. S. has shown the price of milk in C area as 8 annas per seer. In any case, therefore, the price shown by the Federation, namely, Re. 0-12-6 per seer cannot be accepted. I, therefore, think that the estimate on food as given by the Department should be increased from Rs. 47-14-6 to Rs. 53.

168. On the next main item of fuel, the main difference between the Federation's figure and the figure of the Department is in respect of the consumption of charcoal because the expenditure on firewood has been accepted as correct. Most of the witnesses that were examined wanted 4 maunds of firewood and did not, excepting in one or two cases, show any expenditure on charcoal. The expenditure on fuel as shown in the budget is on the basis of 3 maunds, *i.e.*, the figure of Rs. 5 on fuel and lighting as shown by the Department has to be increased by Rs. 2 to Rs. 7.

169. Under the third head of clothing the expenditure shown by the Federation is Rs. 18 while the Department thinks that Rs. 14 would be a reasonable estimate. I was informed that this estimate of Rs. 18 was inserted in the budget on the estimate of Mr. Ramamurthy. But Mr. Ramamurthy himself spends Rs. 23 on clothing according to his budget and therefore this figure of Rs. 18 appears to have been inserted in the budget according to Mr. Ramamurthy's idea of what would be the reasonable expenditure on clothing. According to the figures collected by Mr. Subramaniam the expenditure on clothing in C area towns in 1945 was as follows :—

	Rs.	Consumption units	For 3 consumption units it works out to Rs. A. P.
Bombay Province	22	3·9	16 15 0
Punjab	18	4·6	11 12 0
Madras	15	4·6	9 13 0
United Provinces	11	3·7	8 15 0
Central India	12	5·6	6 7 0
			53 14 0

170. The average for all these areas is Rs. 10-12-0. It would therefore appear that the provision of Rs. 14 per month made under the head of clothing is sufficiently on the generous side.

171. So far as the house-rent is concerned, the Federation has budgetted at the rate of Rs. 18 per month while the Department thinks that Rs. 5 would be a reasonable rent. In my opinion, although the figure of the Federation cannot be accepted, the Department's figure must be raised to Rs. 10. Again according to Mr. Subramaniam's figures the rent paid by lower middle class families in 'C' area towns of the various Provinces in 1945 was as follows :—

	Rs.
Bombay Province	11
Punjab	7
Madras	13
United Provinces	6
Central India	10

Taking an average of all these, the figure comes to Rs. 9-8-0. The Textile Enquiry Committee calculated that for Sholapur, which is a 'C' area, the average rent paid in 1939 was Rs. 3-10-4 per month. They were, of course, considering the conditions of the labour in textile industries and the standard of lower middle class is undoubtedly higher. I think that the Department's estimate of house rent of Rs. 5 must be increased to Rs. 10.

172. Coming to the last main item, namely, "miscellaneous", it has been split up by the Federation as being incidental for items 1 to 4 and has been classified under 3 headings :

	1939			*1945*		
	Rs.	A.	P.	Rs.	A.	P.
(*a*) Dhobi, washing charges, etc.	2	8	0	6	8	0
(*b*) Scavenging, sweeping, etc.	3	8	0	7	8	0
(*c*) Other items, shoes, sandals, umbrellas, etc. .	4	4	0	14	1	0

173. On the face of it this expenditure appeared unsustainable and the Department was prepared to accept for these items an expenditure of Re. 1, Rs. 4 and Rs. 13-8-0 respectively. The expenditure shown by the Federation appeared to be somewhat surprising and, therefore, in the amended budget, an effort has been made to explain under each heading how the figure has been arrived at. These details are really in the nature of an after-thought in order to raise the expenditure to the figure mentioned in the original budget. In the note to the original budget it is stated that no expenditure has been shown on furniture, utensils, education of children, medical expenses, subscriptions for unions, clubs, journals, etc. It is difficult to believe that a family which spends Rs. 204 a month could not incur any expenditure on education of children or recreation or medical expenses or even subscriptions to unions, clubs, etc. I therefore think that the correction applied by the Department to the Federation's budget is on the whole reasonable except on the three items referred to above, namely, the expenditure on ghee and oil, fuel and house-rent. In each of these cases the expenditure is required to be raised by Rs. 5, Rs. 2 and Rs. 5 respectively and if the expenditure on these items of the budget is so raised, one may perhaps come to the conclusion that the expenditure for an average family of 3 consumption units in the lower middle class in 'C' areas in 1945 would be Rs. 12 more than what the Department has shown, that is, about Rs. 102. This figure, therefore, agrees substantially with that arrived at on the application of Mr. Deshpande's co-efficient and the average expenditure incurred by the middle class family according to the statistics collected by Mr. Subramaniam *viz.* between Rs. 100 and Rs. 105 per month.

174. Coming next to the evidence led by the Federation, I find that they examined 18 witnesses for the purpose of proving budgets of clerks and other allied cadres. Three witnesses were examined to prove the budgets of the Lower Grade staff and one of them was a Lineman, another a Munshi-Marker and the third a Porter. The remaining 8 witnesses were examined by the Federation for purpose of proving some of the conditions of service which the Federation regard as onerous. A complete list of the more important grievances which were mentioned in the course of the evidence is given in Appendix XIV. In brief they referred to the limited application of the unified scales of pay, the inadequacy of the outstation allowances to Railway Mail Service sorters and the difficulty of getting accommodation at places like Delhi. Some of the witnesses made a grievance of the fact that owing

to the change in the ratio between the strength of the Lower and Upper Division clerks, they were held up at the top of the Lower Division scale owing to lack of vacancies in the Upper Division. One witness complained that although he had been in service for some years he had not yet been confirmed. One telephone operator from Delhi drew pointed attention to the fact that although in the permanent employ, he was drawing a smaller pay than other operators and lady operators who had been engaged temporarily after 1942. Another exchange telephone operator from Madras made a grievance of the fact that the assurance of departmentalisation and the standardisation of the scales of pay after the Telephone Companies were taken over by the Department, had not been carried out. The Department will no doubt give due consideration to all these points raised in the evidence of the witnesses. They were mentioned by them in the course of the adjudication as the witnesses thought they had some bearing on the question of relief with which alone this adjudication is concerned.

175. Of the witnesses Nos. 1 to 19, witness No. 2 was withdrawn and his evidence was not subjected to any cross-examination. The other 18 witnesses have given evidence in support of the budget statements that they put in and were cross-examined in considerable detail by Mr. Sajnani. The evidence of these witnesses as a whole suffers from the same defects as I have pointed out in connection with the evidence led by the All-India Postmen and Lower Grade (including R.M.S.) Staff Union. Except in three cases no accounts have been produced by any of the witnesses, the three exceptions being witnesses Nos. 3, 9 and 13. All the others filled the printed forms at Simla and all of them frankly admitted that the details in the forms were given from memory. They stated that the details with regard to items of food were entered in the budget because they had personal knowledge of the actual amount spent on the various items of food and that, in respect of clothing and miscellaneous articles the entries made were merely estimated averages. In submitting budgets in an enquiry of this kind there is a not unnatural tendency to inflate the expenditure in order to make it appear that the emoluments that they get are totally inadequate to meet their normal requirements. It is true that the evidence is given by the witnesses on oath but, as I have stated before, not all the witnesses attach the same sanctity to oath. Unless, therefore, there is something in the way of accounts to test the genuineness of the entries shown in the budget it would not be safe to accept their evidence. Some of the witnesses impressed me by the straight forward way in which they gave their evidence and I have no doubt that the evidence given by them and the expenditure shown by them in their budgets are correct. But even so, it will not be altogether easy to accept their budgets as typical of the class of employees whom they purport to represent. In this connection I have particularly in mind the evidence of witnesses Nos. 8, 15 and 16. Witness No. 8 stated that he came from a very good family, that his father was an Assistant Presidency Postmaster in Madras and that he was therefore accustomed to a comparatively higher standard of living. Witness No. 15 stressed the high status of his family and deposed to what his standard of living was before he entered the Department. Similarly, in the case of witness No. 16, it is obvious that he too was used to live in a comparatively well-to-do fashion; his father used to draw a salary of Rs. 800. But merely because these witnesses were used to a higher standard of living and cannot now maintain that standard having accepted service in the Posts and Telegraphs Department, it does not necessarily follow that the emoluments that they receive are inadequate. By offering service to their employees the Department does not undertake to maintain them in the standard of comfort to which they were accustomed before they accepted

service in the Department. Many of the witnesses stated that they were incurring deficits year after year but not all the witnesses could explain as to how they were able to meet these deficits during those years and this inability to give a reasonable explanation in an enquiry of this nature must raise doubts in one's mind whether these deficits did exist at all.

176. Witness No. 1, a clerk in the Telegraph Stores Office in Calcutta, has an income of Rs. 127-13-0 and showed an expenditure of Rs. 251-13-0 indicating a deficit of Rs. 124. But these deficits are of recent origin as until 1st December 1945 he was on military duty and his pay and allowances then amounted to Rs. 186. Even then he stated that there was a deficit of about Rs. 90 a month and this deficit in the 11 months of the year 1945 would amount to Rs. 990. He was able to explain how he met this deficit to the extent of Rs. 750 but was not able to account for the rest. The case of this witness is somewhat peculiar as he has a particularly large family consisting of about 8 members (5·69 consumption units). He cannot, therefore, be regarded as typical of the clerical cadre in the Department. The next witness No. 3, was a clerk from the General Post Office, Bombay, and I was particularly impressed with the manner in which he gave his evidence. He had complete accounts of every item of expenditure that he had incurred from month to month and was able to give satisfactory details of how and why he had incurred debts. He produced vouchers showing expenditure on house-rent, electric charges, milk, etc. His budget was particularly low and it is obvious that he was living below a standard which would maintain the health and efficiency of himself, his wife and his five children. His expenditure on food per consumption unit works out at Rs. 15-15-0 a month which is somewhat on the low side. In contrast with the evidence of witness No. 3, was the evidence of witness No. 4, a Supervisor of Telephones, Delhi. He appeared considerably disgruntled because of the fact that he was still on the temporary establishment though he had joined the Department in July 1942. Regarding himself as an officer of the Department he thought that he was not being remunerated on a scale befitting an officer. His income was Rs. 118 and he showed an expenditure of Rs. 173-15-9 although his family consisted of himself, his wife and his child. It is obvious that the witness is living well above the reasonable requirements of a man of his status. He shows on food alone an expenditure of Rs. 43-8-0 per consumption unit. He admitted that the entries in the budget were mere estimates and stated that his expenditure on clothes alone was Rs. 13 per month. I do not think it would be correct to accept his budget as a standard one. Witness No. 5, a Railway Mail Service sorter from Amritsar, was clearly unreliable. His pay and allowances came to Rs. 83 but his wife who worked as a school mistress brought an income of Rs. 58 per month. Even so he showed an expenditure of Rs. 211 per month indicating a deficit of Rs. 70. His family was the smallest of all the witnesses examined consisting as it did of himself, his wife and a child of 7 months. For a family of that size it is impossible to accept that he had to incur an expenditure of Rs. 233-4-6. His sense of honour does not appear to be very high because a sum of Rs. 100 which was sent to him in connection with the work of the Union was utilised by him for private purposes and he proclaimed that he had no immediate intention of paying back that amount. If his budget was to be accepted it would appear that he and his wife eat 2½ seers of food every day, whereas according to Dr. Aykroyd's formula one seer a day of cereals provides adequate nourishment for two persons. The receipts which he produced in support of his budget were all faked and he admitted that they were specifically prepared for the purpose of this enquiry. He even went to the length of tampering with a bill which was for the month of April so as to make it appear that it was for the month of March because the budget produced purported to be for the month of

March. In my opinion the evidence of this witness is quite unreliable. Witness No. 6 was a telegraphist from Madras and stated that although his pay, allowances and overtime earnings amounted to Rs. 182 he received another Rs. 90 from his father, making his total income Rs. 272. Even with this income he stated that he was unable to balance his budget and showed his expenditure as Rs. 326 indicating a deficit of Rs. 54 per month. It is obvious on the face of it that his budget cannot be accepted. He has no accounts and all his earnings are handed over by him to his father and are kept in the family chest. Any member of the family who requires some money has to go to the family chest and take it. No accounts are kept and the witness could not be in a position to give details as the expenditure was incurred by all members of the family as occasion arose. The expenditure on food and clothing was grossly inflated and in my judgment it would not be safe to place any reliance on his budget. Witness No. 7 gave his evidence in a straightforward manner and gave satisfactory explanation for the various items. Although the witness appeared reliable, the budget that he produced was not prepared from any accounts which he had kept. The difficulty in accepting his figures is that the witness was away from his family at Ranaghat till February 1946 and it is not easy to say that the expenditure which he showed, namely, Rs. 146 per month, was the expenditure which would be incurred in a normal month after his return to civilian life. The budget is only an approximation which may or may not prove to be accurate. Witness No. 8, a clerk of the General Post Office, Madras, gave his evidence in a straightforward manner but as I have stated above, he comes from a particularly good family and was accustomed, until he joined the Department, to a much higher standard of living. It is not unnatural in these circumstances that if he were to maintain the same standard he would be incurring deficits. He has also been trying to act upon Dr. Aykroyd's formula for dietetics and having a family of wife, a grown-up brother and a daughter aged 6 it is not surprising that he finds his total emoluments of Rs. 115 per month totally inadequate for his needs. Witness No. 9, a Wireless Operator from Calcutta, was one of those witnesses who produced accounts which bore out the details mentioned by him in the budget. I have, therefore, no reason to distrust his figures though one may legitimately question the propriety of incurring the various items of expenditure shown in the budget. Although he was earning a total emolument of Rs. 214 a month he described himself as being in straitened circumstances. In spite of the fact that his total emoluments were only Rs. 214 his expenditure on miscellaneous items came to Rs. 192 (this of course included his expenditure of Rs. 49 on the construction of a radio which he ultimately sold at a profit). Although he stated that Rs. 53 was his recurring deficit it is obvious that he was under some misapprehension. A part of the expenditure shown for the month of January 1946 included repayment of a loan of Rs. 20 borrowed from his wife which cannot be regarded as an item of recurring expenditure.

177. The next witness, No. 10, a clerk from the Railway Mail Service, Delhi, was a somewhat unsatisfactory witness. His monthly income was Rs. 108 whereas he showed as expenditure of Rs. 179-14-0. He had a particularly big family consisting of wife and 7 children. Two of the children live with his father at Ambala. He made a grievance of the fact that he lived in what is described as " menial quarters " although he had to admit in his cross-examination that it was at his own request that the quarters was assigned to him when he was evicted from his previous lodgings. He stated that he very often had to send his family away because he could not manage within his monthly income but added that when he did send his family away he could only save about Rs. 10. He was bold enough to assert that he could not retrench his expenditure by Rs. 10 in order to have his family with him.

especially as, whenever his family was with him, his brother gave him an allowance of Rs. 60 a month. The witness showed an expenditure of Rs. 15 a month on the repairs of his cycle and for conveyance charges. He admitted that if he had taken an advance for the purchase of a cycle from the Department, this expenditure might have been saved. But when this suggestion was put to him he defiantly replied that it was his choice whether the suggetion should be accepted or not. It is hardly possible to accept the evidence of a witness who, when avenues of retrenchment were shown to him, bluntly said that it was his choice whether he would avail himself of them or not. Witness No. 11, a telegraph clerk from Bombay, stated that his income was Rs. 133-14-0 and that his expenditure was Rs. 167, showing a deficit of Rs. 33-2-0 a month. He said in his evidence that the budget had been prepared from certain accounts but when those accounts were examined it was discovered that the so-called accounts from which the budget was prepared was merely an abstract of expenditure for the month of December 1945. The details from which the abstract was prepared were not available and there were no accounts for either the preceding or the succeeding months. Many pages of the book were torn and the entries in the book could not possibly be accepted as representing correct expenditure. He stated that the deficit of Rs. 33-2-0 per month was being incurred for the last 3½ years and must have amounted during this interval to about Rs. 1,400. He was unable to say how this deficit was met and he resorted to the stock answer that those deficits were not in fact incurred as his mother-in-law took the family to her place. The witness showed an expenditure of Rs. 18 a month on medical charges. In my opinion his evidence cannot be accepted without reserve. Witness No. 12 was a mechanic from Karachi and, although, his income is Rs. 104 he shows an expenditure of Rs. 340 a month. He stated that his wife worked as a radio mechanic and earned about Rs. 60 a month. The joint income of the two was Rs. 164 and his budget showed a deficit of Rs. 195 per month, *i.e.*, a total of Rs. 14,000 since the commencement of the war. He has a fairly large family consisting of wife and five daughters and he said that he had to spend Rs. 170 a month on food alone. His daily requirements are 2 seers of milk, 1 seer of meat and 1½ seers of vegetables and he insists that he must buy this much quantity of food every day, irrespective of what the price is. He makes a provision of Rs. 10 a month on stationery for his children. A person who lives so extravagantly in spite of his low income must run into debts but he says that no debts have, in fact, been incurred because his wife as a radio mechanic has now been earning Rs. 250 a month. There is no evidence of it apart from his own word and the witness did not strike me as particularly reliable. Witness No. 13 was a telegraphist in the Central Telegraph Office, Bombay. He was one of those witness who appeared to me to be thoroughly reliable. His accounts are well kept and altogether satisfactory. For the sale of ornaments he produced vouchers and he was fair enough to admit that his deficit amounted to only Rs. 20 a month. I rather think that this witness's expenditure on pulses and on milk and fats is somewhat above the normal. I am prepared to concede that his evidence is perfectly reliable, though one may question the propriety of his having incurred the somewhat heavy expenditure on milk and fats. Witness No. 14, a Railway Mail Service sorter from Gaya, has a somewhat high standard of living. He gets Rs. 100 a month from landed property. The budget has not been compiled from any set of accounts and is a mere estimate. The witness produced an abstract of which his budget was a copy but no regular accounts were produced. The witness has been accustomed to a somewhat higher standard of living as is evident by the fact that he spends Rs. 10 a month on private tuition to his children. Therefore, the budget cannot be accepted as typical of the class of employees from which the witness comes. Witness No. 15, a Sub-Postmaster from Agra, was particularly insistent that the status

of his family was high and appeared very disgruntled at the way in which he had to live on the emoluments given to him by the Department. He again had no accounts and the inflated nature of the entries in the budget is indicated by the circumstance that he shows an expenditure of Rs. 50 a year for the repair of a bicycle which ordinarily costs Rs. 150. Even though he is incurring an expenditure of Rs. 162 a month he preferred to describe himself as leading "a life of a menial". Such overstatements are not conducive to the evidence of a witness being accepted. Witness No. 16, a clerk in the Telephone Revenue Accounts Office, Delhi, appeared to be a reliable witness though in his case again the budgets were based on mere estimates and not on any set of accounts. He has a family of wife and two daughters aged 7 and 2½ years and for such a family he says that 2 seers of milk a day is the barest minimum. As I have observed in another place, this witness is accustomed to a high standard of living as his father used to draw a salary of Rs. 800 a month. Obviously he cannot expect himself to be maintained in the same standard on his own pay and allowances of Rs. 132. The quality of his meals, which he describes, bears testimony to this. Although I am perfectly prepared to accept his evidence as reliable I cannot admit his budget as a typical of the general cadre of clerks. Witness No. 17, a clerk from the office of the Superintendent of Post Offices, Akola Division, showed a monthly income of Rs. 65 and an expenditure of Rs. 154, indicating a deficit of Rs. 89. His family consists of himself, his wife and two small sons. It is difficult to believe that for such a family his expenditure should amount to Rs. 154 per month. His budget in respect of cereals, milk and clothing appears to be somewhat high and, in any case, the budget is not based on any accounts but has been prepared from memory. The main grievance of the witness No. 18, who was a Railway Mail Service sorter from Bezwada, was that the outstation allowance given to him was meagre. Although his pay and allowances amounted to Rs. 65 his expenditure per month came to Rs. 183. A part of the deficit was said to have been met by his private income of Rs. 30 a month and help from sister amounted to Rs. 60 a month. His family was comparatively a small one consisting of his mother and his wife and it was quite clear that his expenditure on food which shows Rs. 32-7-0 a month per consumption unit is considerably inflated. He has budgetted for an expenditure of Rs. 30 per month for food taken during his outstation duties. When it was suggested to him that instead of taking food in hotel while on outstation duties at Bezwada, he might avail himself of the facilities that are provided in the rest houses, he stated that there were no facilities provided, that there was no one to cook and that therefore he had per force to take his food in a hotel. This was contrary to the evidence of witness No. 45, who stated that "at these rest houses most of these Railway Mail Service sorters take food together". The witness showed a curious reluctance to eat any food which was cooked more than three hours before it was consumed. This was in answer to a suggestion from Mr. Sajnani that instead of taking food in hotels at least on the night of the journey he might have carried with him some food from home for the night. But the witness would have nothing of the kind and insisted that it was necessary to buy food at some hotel. The last witness examined by the Federation was witness No. 19, a clerk in the Circle Office at Nagpur having an income of Rs. 123 per month. He stated that he incurred an expenditure of Rs. 203 with a deficit of Rs. 80 per month. He was an extremely intelligent witness, well up in his knowledge of service rules, as an establishment clerk should be. But he had no accounts with which to support his budget and it is clear that his expenditure of Rs. 90 on food, Rs. 27 on clothing and Rs. 13-11-0 on fuel is considerably above the average.

178. The fact that the evidence of these witnesses cannot be accepted at its face value is clear from the following circumstances. Of the 18 witnesses examined, witnesses Nos. 1, 7 and 9 came from Calcutta and 3, 11 and 13

came from Bombay, both Calcutta and Bombay being 'A' areas. Witnesses Nos. 4, 5, 6, 8, 10, 12, 15, 16 and 19 came from towns which are classified as 'B' areas. Witnesses Nos. 14, 17 and 18 came from Gaya, Akola and Bezwada, respectively, which are classified as 'C' areas. If we take the expenditure on food as shown in the budgets of these witnesses we get the following result. According to the investigations of Mr. Subramaniam the expenditure on food of middle class families is as follows :—

	Per cent.
'A' Area—	
Bombay	40
Calcutta	49
'B' Area—	
Nagpur	39
Madras	47
Delhi	44
'C' Area towns of the various provinces—	
Bombay Province	42
Punjab Province	49
Madras Province	49
United Provinces	51
Central Provinces	50

We may therefore take it that on an average in the middle class families the expenditure on food in the 'A' areas is 45% of the total expenditure, in 'B' areas 45% of the total expenditure and in 'C' areas 50 of the total expenditure. If we apply these tests to the budgets produced by these witnesses the result is as follows :—

'A' Area witnesses' expenditure on food per consumption unit—

	Rs.	As.
Witness—		
No. 1	23	13
No. 7	29	10
No. 9	22	5
No. 3	15	15
No. 11	21	7
No. 13	30	1

Average Rs. 24 per month per consumption unit.

For 3 consumption units the expenditure will be Rs. 72 and if we take it that in 'A' areas the expenditure on food is 45% of the total expenditure the total expenditure for 'A' areas for an average lower middle class family should be Rs. 160.

Taking similarly 'B' area witnesses and their expenditure on food per consumption unit the figures will be as follows :—

	Rs.	As.
Witness—		
No. 4	43	8
No. 10	25	11
No. 16	42	4
No. 5	65	0
No. 6	42	2
No. 8	23	1
No. 12	30	2
No. 15	19	4
No. 19	27	7

This gives an average of Rs. 35 per month per consumption unit. For a family of 3 consumption units the expenditure on food would be Rs. 105

per month and if we take that 45% of the total expenditure represents expenditure on food, the total expenditure on these calculations for an average lower middle class family in 'B' area should be Rs. 233 per month. Similarly, taking the witnesses coming from the 'C' areas and their expenditure on food per consumption unit, the figures are as follows :—

	Rs.	As.
Witness—		
No. 14	27	11
No. 17	25	5
No. 18	32	7

This gives an average of Rs. 28 per month per consumption unit, *i.e.*, a total of Rs. 84 per month for a family of three consumption units and if it is taken that in a 'C' area 50% of the total expenditure is spent on food the normal expenditure for an average middle class family in 'C' area would come to be Rs. 168. These figures clearly indicate that the expenditure shown in the budgets of these witnesses is not altogether reliable.

179. The only two witnesses on whose budgets reliance can be placed are witnesses Nos. 3 and 13. I have no doubt that these witnesses did incur the expenditure as shown by them in their budgets. Witness No. 3's expenditure on food comes to Rs. 15-15-0 per consumption unit per month. Witness No. 13's expenditure per month per consumption unit is Rs. 30-1-0, but as I have stated, this witness has been spending a little too much, *i.e.*, Rs. 15-15-0 per consumption unit on milk and fats which accounts for more than half of his total expenditure on food. According to the Statistics collected by Mr. Subramaniam the average expenditure per month on milk and fats in Bombay is Rs. 27 for a family consisting of 3·35 consumption units. On this basis there should be an expenditure of Rs. 8 per month per consumption unit on milk and fats, while the budget of witness No. 13 shows twice the expenditure that is normally incurred. If, therefore, one reduces this particular item by Rs. 8 the proper expenditure of this witness per month per consumption unit should be Rs. 30-1-0 *minus* Rs. 8 = Rs. 22-1-0. If we take the average of the expenditure of witness No. 3, Rs. 15-15-0 and of witness No. 13, Rs. 22-1-0 one may say that the average expenditure per consumption unit of an average middle class family is about Rs. 19 per month. On this computation the expenditure for 3 consumption units would be Rs. 57 and if we assume that in 'A' areas expenditure on food constitutes 45% of the total expenditure, the total expenditure of an average middle class family consisting of 3 consumption units in an 'A' area would be $\frac{57 \times 100}{45}$ = Rs. 127. This figure which is arrived at on the strength of the only two reliable budgets produced by the Federation is a near enough approximation to the estimate of Rs. 120 to Rs. 125 at which I have arrived on other considerations mentioned in the last chapter.

CHAPTER IX.—FINANCIAL POSITION OF THE DEPARTMENT

180. The Federation have in Part III of their Memorandum referred to the enormous profits which the Department is said to have made during the last seven or eight years, and particularly since 1940-41. They have quoted figures from 1938-39 to 1945-46 and have attempted to show that during these seven years the Department made a profit of Rs. 29,52,91,000. They urge that having regard to the extent of the profit which has been made and is being made, the Department is in a position to meet their full demand. They point out that during the financial crisis of 1931, when the pays of all Government servants were subjected to a temporary cut the employees of the Posts and Telegraphs Department and the Railways drawing less than Rs. 30 per

month were also subjected to a cut, although such employees of other Government Departments were exempted from it. The reason then advanced was that the expenditure of the Department had to be as nearly as possible in economic relation to the receipts. The Federation argued that having suffered more than other Government servants when the Department was run at a loss, the employees of the Department were entitled to a special treatment, or at least to a just treatment, when the Department was making large profits. They were not receiving that treatment on the excuse of the necessity of having to make a contribution to the General Revenues for the purposes of war and they anticipate that the same policy would be continued in future and the profits may be ear-marked for post-war developments.

181. I am not sure how far it is correct to say that the Posts and Telegraphs Department has been earning enormous profits. The Department is not a profit-making concern. It is not an industrial undertaking started with the double object of providing an essential service and earning profits for its shareholders. There are no shareholders in this case. The Department is run by Government as a trustee of the general public. It is the public that contribute to the income of the Department and if there is surplus of income over expenditure the surplus goes to Government and thus indirectly back to the public. To the extent that there is a surplus of income over expenditure, the rates and charges levied by the Department form an indirect tax on the users of those services in precisely the same manner as any other indirect tax. What percentage of the income can be regarded as an indirect tax depends on what is shown as the expenditure for running the Department. It appears to me, therefore, that it is not accurate to speak of the ' profits ' of the Department. The admitted policy of the Department, however, is to make it pay its way and to charge to the consumer—in this case those who use the services provided by the Department—just so much as would realise income which will enable Government to run the Department and leave a sufficient margin for reserve and replacement. This policy was departed from only during the War—in order to raise funds to finance the War expenditure by the imposition of higher rates. It is these higher rates—in other words indirect taxes—that have resulted in what are described as " enormous profits ". It is therefore not correct to suggest that because there are these " enormous profits " the employees are entitled to special treatment.

182. I doubt also whether the financial capacity of the Department is at all a relevant consideration for the purpose of this adjudication. I have not been asked to consider what relief is required by the employees on the new scales of pay having regard to the capacity of the Department to pay it. It is the general public who take advantage of the services supplied by the Department who are the employers of the employees in the Department, through their trustee the Government. If on a dispassionate consideration of the question it is found that the employees are not getting a reasonable wage it is for the Government, and therefore indirectly for the public, to find money by a suitable executive or legislative action. The question of what is a reasonable wage under the circumstances must be examined in relation to the relative wage level in the country and against its economic background. It may conceivably happen, as it did happen during the economic crisis, that the public may not be able to provide funds for the purpose of giving an adequate wage to its employees in which case the employees must themselves share the economic distress of the country and be satisfied with wages which may not be regarded as adequate. Considering the problem from this point of view the paying capacity of the Department is strictly not a relevant consideration. The paying capacity of the Department depends upon what price the public are prepared to pay for the services they receive. Ordinarily the wages of the employees are the first charge on the receipts of a commercial or industrial

concern. It is altogether wrong in principle to provide a cheaper service by depressing the cost of production as a result of abnormal lowering of the wages. Such a procedure would in effect mean subsidising the consumer at the cost of human material in the shape of the reduced standard of living of the employees. It must therefore follow that the cost of the service to the consumer must be regulated by a fair wage to the employee. It is thus possible to argue that the surpluses which have been described as ' enormous profits '—though largely due to the increased rates—are also, in some measure, the result of somewhat inadequate wages that were paid to the employees during the war years.

183. The present position is described as follows in paragraph 4, Post-War Plan of the Indian Posts and Telegraphs Department, prepared in December 1945 :—

"4. Financial policy and its working.—The vast organisation and the elaborate system of the Indian Posts and Telegraphs Department today is the result of a steady growth devised to meet the ever-increasing needs of the country for wider and quicker communications. This growth has in recent years been in accordance with the financial policy which the Government of India has adopted towards the work of the Department, a policy stated in the Legislative Assembly on the 12th of March, 1924, in the following words :—

> 'I entirely agree with Mr. Neogy in considering that the Post Office should be looked upon as a public utility service. But in the same way as the Railways and any other organisations which are for the benefit of the general public and are looked upon as public utility services, should at the same time pay their way. I consider that the Posts and Telegraphs Department should pay its own way and I have the authority of my Honourable colleague, the Finance Member, in saying that the Government do not look to the Postal and Telegraph Department as a revenue earning Department. I hope this statement will satisfy my Honourable friend. At the same time, I wish him to understand that there is no reason whatever why the Postal and Telegraph Department, if it is properly managed, should be a burden on the tax-payer. It has to be remembered that the Government enjoy a valuable monopoly in the Postal and Telegraph Department and in my view, that monopoly should be worked so as to be a source of benefit to the general tax-payer without being a burden on him.'

"In pursuance of the policy thus indicated the accounts of the Department were placed upon a commercial basis. If the Department earns in any year a surplus of revenue over expenditure, the amount is to be appropriated, first of all to pay off the accumulated losses if any, of the previous years, and the balance is to be utilized for improvements in service after providing for a reserve to meet possible losses of the future.

"This policy has, however, had to be held in abeyance as a result of the exceptional circumstances created by the war and, during the war period, the surpluses have, after allowing certain amounts to be credited to a reserve, been taken in aid of general revenues to meet the enormous expenditure connected with the war. During the war, the surpluses have attained high proportions partly as a result of the deliberate increase of rates in order to bring in more revenue and partly as a result of the increased traffic due to activities connected

with the war. The statement produced below gives the result of the financial working of the Department since 1925-26, from which date the accounts of the Department were placed on a commercial basis, up to the year 1944-45. At the end of the financial year 1944-45, the position of the Department was that it had a sum of Rs. 4,51,67,000 in its Renewals Reserve Fund and a sum of Rs. 7,32,63,000 as Accumulated Balance :—

Statement showing revenue, expenditure and surplus or deficit of the Indian Post and Telegraph Department since 1925-26

(In thousands of rupees)

Year	Revenue	Expenditure	Surplus (+) or Deficit (—)	Accumulated profit (+) or loss (—) to the end of the year
1925-26	10,21,38	9,84,34	+37,04	+37,04
1926-27	10,53,03	10,42,79	+10,24	+47,28
1927-28	10,82,71	11,08,86	—26,15	+21,13
1928-29	11,03,65	11,57,49	—53,84	—32,70
1929-30	11,29,50	11,91,95	—62,45	—95,15
1930-31	10,77,85	12,11,34	—1,33,49	—2,28,64
1931-32	10,64,60	11,58,44	—93,84	—1,24,73(*a*)
1932-33	10,55,40	10,97,30	—41,90	—1,36,62(*b*)
1933-34	10,72,60	11,24,56	—51,94	—1,61,68(*b*)
1934-35	11,19,87	10,81,92	+37,95	—70,93(*b*) (*c*)
1935-36	11,47,57	11,47,10	+47	—54,97(*b*)
1936-37	11,69,03	11,54,48	+14,55	—1,25(*b*) (*d*)
(Burma and Aden were separated at the end of the year 1936-37)				
1937-38	11,49,90	10,92,64	+57,26	... (*e*)
1938-39	11,67,60	11,48,62	+18,98	... (*e*)
1939-40	12,48,52	11,58,93	+89,59	+81,88(*f*)
1940-41	13,28,26	12,03,46	+1,24,80	+1,73,68(*g*)
1941-42	15,89,43	12,48,80	+3,40,63	+4,14,31(*h*)
1942-43	19,30,33	14,78,64	+4,51,69	+6,66,09(*i*)
1943-44	25,17,32	16,14,75	+9,02,57	+7,32,63(*j*)
1944-45	29,38,49	19,13,84	+10,24,65	+7,32,63(*k*)

(*a*) Cumulative loss reduced by Rs. 1,97,75,000 due to acceptance of certain recommendations of the Posts and Telegraphs Accounts Enquiry Committee.

(*b*) Excluding losses on press traffic and non-commercial activities of the Wireless Branch.

(*c*) Accumulated loss reduced by Rs. 42,67,000 due to writing off or writing down value of unserviceable stores.

(*d*) Relief of Rs. 24 lakhs granted to cover cost of pensions of officers who served in Burma.

(*e*) The entire profit at the end of the year was taken over for repayment of arrear losses on press traffic.

(*f*) The net profit at the end of the year after paying off the outstanding losses on arrear press traffic, proceeds from the increased postal rates, etc., introduced on 1-12-1940.

(*g*) Excludes Rs. 33 lakhs contributed to General Revenues.

(*h*) Excludes Rs. 100 lakhs paid to General Revenues as an outright contribution and includes Rs. 5,000 for adjustment of previous year's accounts.

(*i*) Excludes Rs. 200 lakhs paid to General Revenues erived f rom increased rates introduced on 1-4-1942. Includes Rs. 4,000 for adjustment of previous year's accounts.

(*j*) Excludes Rs. 8,36,17,000 paid to General Revenues. Includes Rs. 14,000 for adjustment of previous year's transactions.

(*k*) Surplus Rs. 10,24,65,000 will be contributed to General Revenues."

184. It would be apparent from these figures that taking an account of the last 20 years and balancing the profits in some years against the losses in other years the Department had at the end of the financial year 1944-45 a sum of Rs. 7,32,63,000 as accumulated balance. That was the position after the Department had contributed the following sums to the General Revenues :—

	Rs.	
1940-41	33,00,000	out of the surplus.
1941-42	1,00,00,000	„
1942-43	2,00,00,000	„
1943-44	8,36,17,000	„
1944-45	10,24,65,000	(The whole of the surplus).

From the above statement of the financial position it might appear that the Department is in a position to bear an increase in its wages bill.

185. But during the course of this adjudication, Mr. Narayanaswamy, Deputy Financial Adviser to the Posts and Telegraphs Department made the following statement :—

> " The budgetted surplus of the Department for 1946-47 is a little under 10 crores but owing to the decision subsequently taken to reduce the post-card rate from 9 pies to 6 pies and owing to the concessions announced in Sir Gurunath Bewoor's letter of 4th March 1946, the surplus is now expected to be not more than 7 crores. The postal, telegraph and telephone rates were increased during the war by stages commencing from December 1940 and it has been calculated on the estimated traffic for 1946-47 that the additional revenue accruing from the increases in rates is of the order of Rs. 7½ crores. In other words, the entire surplus is due to the imposition of the enhanced rates but for which, the result of the working of the Department, the expenditure remaining the same, would be a loss of Rs. ½ crore. The reason for my mentioning this is that there have been representations regarding the generally high level of P. & T. rates and during the last Budget Session certain amendments to the Finance Bill were brought forward by some Honourable Members in the Legislative Assembly. The acceptance of the amendments would have meant an additional loss of Rs. 5 crores but because of the anticipated deficit of Rs. 50 crores for the Central Government budget, all the amendments could not be accepted. This however shows the general attitude of the Legislature and it is prudent, I submit, to keep a margin for future reduction in rates. It should also be remembered that P. & T. Traffic touched unprecedentedly high levels as the result of war conditions, military traffic, etc. and with demobilisation and gradual restoration of peace conditions the traffic cannot be expected to maintain its present high level. Thus we should be prepared in the next few years for a shrinkage of revenue without a corresponding reduction of the expenditure, resulting in a reduction of the surplus. There is also the desirability of keeping something in store for the future development of postal, telegraph and telephone facilities for the country. All this, I submit, points to the necessity for caution in making any additions to the wages bill of the Department based on its seemingly prosperous position."

186. It would appear from this statement that if the public are prepared to pay rates at the present level and if the traffic continues as at present, the Department may expect a surplus of about Rs. 7½ crores every year. It is difficult to judge to what extent the traffic will be reduced in the near future. If the traffic does go down and there is not sufficient work for the employees the proper way of meeting the situation would be by retrenching the staff and not by giving the employees an inadequate wage. For the purpose of this interim relief one may assume that the shrinkage in revenue on account of reduction in traffic may not be very great. Mr. Narayanaswamy suggests that it would be prudent to keep a margin for future reduction in rates. But surely the argument is based on a fallacy. If the wages are in fact found to be inadequate, it cannot be suggested that they should be stabilised in order to leave room for a reduction in rates and thus to subsidise the consumer. The cost of running the Department must be calculated on the basis of a fair wage and the consumer, who takes advantage of the services must be called upon to pay what it costs Government to run the Department on commercial lines, without the Department being a burden on the general tax payer. If the relief required by the employees is such that it will absorb the whole of the surplus arising out of the present level of rates then the answer is that there must not be any reduction in the rates. By that I mean a relief reasonably required by the employees having regard to the normal needs of an average employee regarded as a human being in a civilised community, taking into consideration the rise in the cost of living, the economic conditions of the country and the general wage level prevailing therein. I need not however labour this point to any great extent because the non-recurring relief which I am suggesting can easily be met out of the anticipated surplus this year and the recurring relief recommended is such that it would be within the capacity of the Department to pay from its revenue even if there is some shrinkage in it due to reduced traffic and even if the traffic rates are reduced to some extent.

CHAPTER X.—ALTERNATIVE METHODS OF RELIEF DISCUSSED

187. I have considered so far :

(1) the general position as regards the new scales of pay ;

(2) the rise in the cost of living since the war ;

(3) how far the allowances sanctioned since the war have had the effect of neutralising the rise in the cost of living ; and

(4) what in a very rough way is the present day cost of living of an average lower middle class and working class family in A, B and C areas.

I have also, arrived at the conclusion that some measure of additional relief is necessary for the non-gazetted employees of the Department who are on the new scales of pay. I shall now proceed to consider the second part of the terms of reference, namely, if the aforesaid employees require any further relief, what the nature and extent of the relief should be.

188. There are several ways in which such relief can be granted. They are :

(1) Without disturbance of the existing scales of pay, to grant the employees a certain number of advance increments in their own scales of pay ;

(2) to extend the system of unified scales of pay to all the areas in which, and to those categories to which, it is not at present applicable ;

(3) to give an allowance which would represent full or partial reversion to the 1926 scales of pay on a point to point basis ;

(4) to sanction an allowance by way of percentage addition to the basic pay—the percentage being higher in the lower cadres and comparatively smaller in the upper cadres ;

(5) to give to the employees at places where articles of food are not supplied at concession rates, a grain concession allowance approximately equal to the value of the grain concession at Bombay ;

(6) to abolish the distinction between B and C areas, to include in category B all areas which are not included in category A and to sanction dearness allowance in all places in the B area at the rates which are at present in force for that area.

189. I have carefully considered these ways of granting relief and for reasons which I shall state in the next Chapter, I recommend the adoption of the last three methods with the proviso that the relief under (4) above should be with retrospective effect from 1st January 1945.

190. The method of relief by giving certain advance increments has the merit of simplicity, but it would not work equitably in respect of the lower cadres. For instance in the case of Clerks, giving of five advance increments would mean an addition of Rs. 15 p.m. to their pay ; but in the case of Postmen there would be an addition of only Rs. 2-8-0 p.m. In the case of Telegraph Masters giving of five increments would mean an addition of Rs. 50 p.m. in their pay whereas giving of five increments in the case of Packers would mean an addition of only Re. 1 in their pay. It is precisely the employees in the lower cadres that stand in greater need of relief and their increments being small, the giving of any number of advance increments in their case would bring no appreciable relief. Any scheme of relief by sanctioning advance increments on a uniform basis must therefore operate inequitably. In the case of certain cadres such as Packers in whose case the difference between the maximum and the minimum of the scale of pay is only Rs. 2, the maximum is reached within a period of ten years. For Packers who have put in more than 10 years of service, therefore, there is no possibility whatever of granting any relief in the existing scales of pay by any scheme of giving advance increments. For these reasons, in my opinion, this proposal must be abandoned as unworkable.

191. Another method that was suggested during the course of the arguments for granting relief to the employees on the new scales of pay was by the application of unified scales of pay introduced in the Posts and Telegraphs Department in Government memorandum No. A 33-1/44 dated the 14th August 1945. Mr. Chatterjee on behalf of the All-India Telegraph Union expressed himself in favour of such a scheme provided 'B' scale was applied to Clerks, Telegraphists and others and 'A' scale to Engineering Supervisors, Carrier Attendants and Wireless Operators. Dr. Noronha, on the other hand, on behalf of the Federation, did not desire that the system of unified scales of pay should be extended to all the new scale employees. As, however, the possibility of granting relief by this method was mooted, it is necessary to consider how far it is practicable to give relief in this manner.

192. The unified scales of pay have, at present, been applied in the Posts and Telegraphs Department only at a few stations and there also only to a few categories such as Clerks, Sorters and Telephone Operators. If relief is to be granted through unified scales of pay it would be necessary in the first instance to apply these scales of pay to all categories and then to extend them to all stations. With regard to the first necessity of applying the scales to all categories, the main difficulty is that the unified scales of pay are suitable only for

clerical cadres and would not be suitable for a large number of categories which are now either below or above the clerical cadre. If relief is to be granted by this method it would be necessary for the Department to devise separate unified scales of pay for non-clerical cadres such as Packers and Postmen, and for technical cadres like those of Mechanics and Engineering Supervisors. This, in effect, would amount to evolving new scales of pay, but as the Pay Commission will soon be considering this matter it would, in my opinion, be unncessary waste of time and labour to work out for the purpose of interim relief unified scales of pay for employees other than clerks. The work involved in fixing unified scales of pay for all categories of staff in the Posts and Telegraphs Department will be particularly difficult as there are some cadres in which the scales of pay include an element of compensation for liability to transfer and in such cases a unified scale of pay would be obviously unsuitable.

193. Even if it were proposed to extend this system of unified scales of pay to clerks at places where it does not exist at present, there would be considerable difficulty in doing so because the grouping now done for the purpose of initial salary (which is Rs. 55 for Class I towns, Rs. 45 for Class II towns and Rs. 40 for Class III towns) is not based on the cost of living of the various towns but on the non-availability of suitable staff in those areas. Naturally therefore, if the application of unified scale of pay is to provide for the increase in the cost of living, it would be necessary to revise and regroup the various towns. This also would necessitate considerable waste of time and labour since the interim relief is intended to be in operation till the Pay Commission's recommendations are received by Government and orders are passed thereupon. Further, the unified scales of pay begin with Rs. 40 and end with Rs. 80 with an increment of Rs. 5. The employees who joined the Department on the new scales of pay in 1931 have put in by now nearly 16 years of service and in order to provide relief for them it would be necessary to extend the scale beyond Rs. 80. Finally, the option to join the unified scales of pay has, at present, been given also to the men on the old scales of pay with the maximum benefit of three years for the purpose of increment. If, therefore, the method of granting relief through unified scales of pay is adopted it will have to be made available also to men on the old scales, who may elect to get the benefits of the unified scale.

194. The unified scales of pay, as they stand at present give different points of entry to clerks working in the Secretariat offices, Circle Offices and Posts and Telegraphs Offices. The point of entry in the case of Circle Office 1st Division Clerks, who are eligible for the B Grade of the unified scale in Class I towns, is Rs. 80 while in the case of Post Office clerks to whom C Grade of the scale applies, the point of entry is Rs. 55. In the case of Class II towns the point of entry for 1st Division clerks in Circle Offices is Rs. 60 while in the case of Post Offices the point of entry is Rs. 45. In the case of class III towns the point of entry for Circle Office clerks is Rs. 60 while the point of entry for Post Office clerks is only Rs. 40. This differentiation between Circle Office Clerks and the Post Office Clerks has already resulted in considerable dissatisfaction and when Mr. Chatterjee suggested the application of unified scales of pay to all, it was specifically with the proviso that the point of entry for Post Office and other clerks should be the same as for B Grade *i.e.*, the same as for the Circle Office Clerks. I have elsewhere pointed out that there was no justification for treating Post Office Clerks differently from Circle Office 1st Division Clerks in 1931 when the revision of scales of pay took place. If, therefore, the unified scales of pay are applied to clerks as a measure of relief it would be necessary to lower the point of entry fo. Circle Office Clerks which is likely to give rise to complications and defeat the very purpose for which these scales were introduced. For all these reasons, I am of opinion that this method of granting interim relief cannot be seriously considered.

195. The third method of granting relief which was urged before me was to give a Personal Allowance equal to the difference between the old and the new scales of pay on a point to point basis. This method was seriously pressed by the Federation of Post and Telegraph Unions. Although the Postmen and Lower Grade Staff Union in their memorandum suggested this method as a first step in granting relief, Mr. Dalvi at the close of his arguments stated that he was not particularly keen on this method, for the obvious reason that for Postmen and Lower Grade Staff the relief based on this method would be almost negligible. Even a modification of this method of granting interim relief, namely, giving an allowance equal to half the difference between the old and the new scales of pay, on a point to point basis, to employees drawing more than Rs. 40 and giving the full difference on the same basis to employees drawing less than Rs. 40 is, in my opinion, also open to serious objection.

196. The first and the most serious objection in my opinion is of linking relief to the 1926 scales of pay. Those scales of pay were sanctioned for a particular set of circumstances which do not obtain at present. The demand of the unions that there should be in the first instance reversion to 1926 scales of pay is really based on sentimental grounds. Half the number of employees are drawing pay on the old scales and the other half who come from the same strata of society, who have perhaps better academic qualifications and are better suited for the work, are remunerated on the new scales of pay which are considerably lower than the 1926 scales of pay. It is this disparity, and the natural resentment which flows from it, that have given rise to the demand that all the employees should be on the same scale of pay and there must, in the first instance, be a reversion in the case of new scale employees to the old scales of pay. This may be a legitimate ground to urge before the Pay Commission, which has to decide the scales of pay for the employees of the Central Government and they will no doubt take due note of this particular grievance of the new scale employees. But as a method of granting interim relief it seems to me that it is wrong in principle to choose any scheme of relief which is linked to the 1926 scales of pay. If the 1926 conditions could be said to be on a par with the present day conditions, there might have been something to be said for the proposal. In 1926 the index number for the cost of living of working classes in Bombay was 155 whereas it is in the neighbourhood of 245 at present. In fact the unions themselves have taken up this stand and in view of that it is somewhat difficult to understand why they should insist on the abolition of the new scales and restoration of all the employees to the old scales of pay—except perhaps, for the psychological factor that it will do away with an anomaly (which is more striking in the Posts and Telegraphs Department than in other Departments), where two sets of people doing exactly the same work are paid at widely different rates. But this anomaly exists not only in this Department but also in all other Departments of the Central Government and also of the Provincial Governments. In this, in my opinion lies the weakness of the unions' demand that the employees on the new scales of pay should be brought on to the old scale though undoubtedly in respect of senior clerks it will mean substantial increase in pay. But this insistence on going back to the old scales is not justified either on economic or logical basis, though some justification might be found in the psychological consideration referred to above.

197. Apart from this question of principle, the proposal appears to me to be of doubtful propriety from the point of view of policy and it would operate inequitably in practice. Even in the Posts and Telegraphs Department there are new and old scales of pay among the gazetted staff. The new scale gazetted employees could with equal propriety say to Government : " You have tacitly admitted the unreality of the new scales of pay introduced in 1931 and have granted relief to the non-gazetted employees by a full or partial reversion to the old scales on a point to point basis, and in fairness you must extend the same

privilege to us." However, this is a question of policy with which I am not directly concerned. But the main ground on which I have rejected this particular approach to the problem is that it is objectionable in principle and inequitable in its operation.

198. The impracticability of the proposal can be seen from this. There are several cadres which have come into being after 1931. In the case of these cadres there is no 1926 scale of pay, although it may be possible to link the relief to the old scales of pay of analogous cadres. The case of Telephone District Staff would also create complications as in their case, their old and new scales of pay are not the 1926 and the 1931 scales of pay sanctioned by the Government. Till 1931 there was almost a chaos in the matter of the P. & T. scales of pay ; there were eight or nine different scales of pay for different groups of localities. Some kind of order was restored in 1931 when all the localities were classified in three groups *viz.*, A, B and C with one common scale of pay for each group supplemented by Compensatory or House Rent Allowance for certain localities in each group. If, therefore, the grant of relief is linked to the old scales of pay we should have again the numerous complexities which existed in the different scales of pay for different localities in the same class. The different scales of pay for different localities may possibly have been justified in 1926 according to the then conditions. But there is no justification for retaining those distinctions under the present day conditions. This was realised even as far back as 1931 when one scale of pay was prescribed for all localities in each group. It would be anomalous to revive the 1926 differentiation (as one must do if the relief is linked to 1926 scales) for granting relief at the present day.

199. There would also be further difficulty in the case of cadres the scale of which was revised by the Department in 1931 on the footing that different conditions of service had then come into being. A case in point would be that of the Telegraphists in whose case the Department has now prescribed Circle Service conditions and reduced the pay practically to that of a clerk. The reason for the reduction of the scale was, principally, the change in the conditions of service though it was in some measure also due to the fact that the duties of the Telegraphist, with the introduction of teleprinter, approximated more or less to those of the clerk. Prior to 1931, the Department had two cadres for Telegraphists known as ' General Service ' and ' Station Service ' and the scales of pay for those two cadres were fixed having regard more to the conditions of service than to any other factor. If, therefore, the relief is granted on the basis of difference between the 1931 and 1926 scales of pay, the question would arise to which previous scale of pay was the relief to be linked—General Service scale or Station Service scale of pay. The employees would naturally demand that it should be linked with the General Service scale because the Station service scale was fixed on the footing that the employees were not liable to be transferred, whereas in the Circle Service they are liable to be transferred within the Circle. But it would also be obviously inequitable to link it to the General Service because the liability of transfer is only within the Circle and not throughout the whole of India as in the General Service. It would also not be fair to link it to the Station Service as that Service cadre was not liable to any transfer at all.

200. A further difficulty would arise in cadres such as that of Line-men whose emoluments on the old scales of pay were given partly in the form of pay and partly in the form of Compensatory Allowance. For instance, in Bombay the old scale of pay for Postmen was Rs. 30—1—50 and that for Line-men was Rs. 20—1—40. But the Line-man was given an allowance of Rs. 10 which made his pay equal to that of a Postman. Now both Line-men and Postmen are paid on a new scale of Rs. 24—½—34. If the relief is related in

the case of Line-men to their 1926 scales of pay the relief would have to be the difference not between his present pay and what pay he would have drawn under the old scale, but between his present pay and what pay *and allowance* he would have drawn prior to 1931.

201. Another difficulty that would arise would be in respect of cadres which have been re-grouped for the purposes of the scales of pay under the 1931 Pay Scheme, by being dislinked from the clerical cadres and put on a par with other cadres to which their duties really correspond. An instance of this kind is the Cadre of Inspectors of Peons. These officers were previously linked with clerks but are now linked with Head Postmen since their duties approximate more to those of Head Postmen than to those of clerks. Another glaring case would be that of Record Suppliers whose 1926 scale of pay corresponded to that of Clerks, but whose present scale of pay corresponds to that of a Duftary.

202. Besides these practical difficulties, the actual operation of the Scheme would be inequitable. Take for instance the case which I mentioned last, namely, that of a Record Supplier, whose scale of pay in 1926 was Rs. 60—4—100 and whose present scale is Rs. 20—½—28. If relief on the basis of full reversion to the old scales of pay was given to the Record Supplier, who is in his first year of service, it would mean that while getting a pay of Rs. 20 he would be given a relief of Rs. 40 by way of Personal Allowance. A Record Supplier who is in his 15th year of service now and has earned seven increments would now be getting Rs. 27 ; if relief by way of full reversion to the old scale on a point to point basis was to be given his present pay instead of being Rs. 27 would be Rs. 100 the maximum of the scale. The Record Supplier is now classed with Duftaries who also get a pay of Rs. 20—½—28. The former pay of Duftaries in Bombay was Rs. 30—1—40. A Duftary in the first year of service would get additional emoluments of Rs. 10 and in his fifteenth year of service an additional emolument of Rs. 12. The anomaly is obvious.

203. The Department has also resisted the demand for a Personal Allowance based on a difference between the old and new scales of pay on a point to point basis in its reply to the demand made by the Federation. In paragraph 4 of the reply the Department states as follows :—

> " The Department has also given very careful consideration to the alternative demand for the grant of personal pay mentioned in the Federation's Memorandum and has come to the conclusion that if the relief to new scale men is given, either wholly or in part, in this form, it will give results which will be unreal for the present day conditions and thus its operation will be unfair. For instance, on restoration of the old scales of pay on a point to point basis, a Packer, Peon or other inferior servant in the 16th year of service in Bombay and Poona would get Rs. 8 more, and his confreres in Calcutta and Madras only Rs. 5. The benefit in the case of United Provinces towns and Ootacamund would be an insignificant sum of Rs. 3, in the case of Dacca, Darjeeling, Shillong, Jubbulpore and Nagpur it would be Rs. 4, while the Packer in Punjab towns would get Rs. 6. The increase in Ambala would be Rs. 7, while U. P. rural areas and Central Circle men would only get Rs. 3. The case of Postmen would be no better since the Postmen in Bombay, Calcutta and Madras would get Rs. 9, while his confrere in Poona would get Rs. 15 and in Karachi, Ahmedabad and Baluchistan Rs. 14. The Postmen in Ranchi, Jubbulpore and Ambala would get Rs. 10. The

postmen in the mofussil areas whose old scale of pay was only Rs. 18—1—38 would get Rs. 8, while the postmen whose old scale of pay was much higher *viz.* Rs. 25—1—45, would only get Rs. 9."

204. The other anomaly of the restoration of old scales of pay would be that while men with longer service would benefit to some extent—which is not much as shown above—their confreres who are entering, or have just entered, service would get practically nothing ; for instance, a packer in Calcutta and Madras would get only Rs. 2 more and in ' C ' class stations he will get nothing, if he is put on the old scales of pay. In the case of Jamadars in Madras, the application of the old scales of pay would have a very interesting effect : those with 5 years' service would benefit to the extent of Rs. 7 while their confreres with 10 years' service would get only Rs. 4 more while those with 15 years' to their credit would get only Rs. 2. In the case of Boy Peons except in a few places they would not get any benefit at all by the application of old scales of pay.

205. Finally, in a scheme of relief of this kind, the greatest attention should be paid to the minimum wage, because these are the people who have no margin to adjust their budgets to the high cost of living. The restoration of old scales of pay, or any variation of it, will operate most unfavourably in this respect as the lower paid employees would benefit to a very insignificant extent compared to those in the higher cadres. While a packer will benefit from Rs. 3 to Rs. 8 a month, a postman from Rs. 8 to Rs. 14, the employees in the clerical cadres would benefit to the extent of Rs. 33 to Rs. 48 for the same length of service. A Scheme which operates unfairly from place to place from employee to employee and from cadre to cadre cannot be considered a desirable scheme for giving relief to a large number of employees dispersed in various parts of the country.

206. In view of these difficulties and anomalies, the fact that it benefits very largely the better paid cadres and gives very little or no relief to the lower paid ones and also on the ground of principle, I am of opinion that any scheme of relief linked to the 1926 scales of pay must be rejected.

CHAPTER XI.—RELIEF AWARDED

207. I recommend the following relief for the non-gazetted staff of the Posts and Telegraphs Department on the new scales of pay to take effect from the 1st of July, 1946.

I. Increase in basic pay as shown in the statement below, to be given as Personal Pay :

Categories of staff as given in Schedule 1 on page 77 of the Manual of Appointments and Allowances of Officers of the Indian Posts and Telegraphs Department.	Increase.
(*i*) *Section XV.*—Runners *Section XVI.*—Record Suppliers, Ferro Typers, Multigraphers, Compositors, Remprinters, Operators, Markers, Duftaries, Form Suppliers, Form Pickers, Binders, Attenders, Jamadars, Hall Jamadars, Head Porters, Overseers in Railway Mail Service, Havildars, Head Peons and Makadams. *Section XVII.*—Boy Peons, Boy Messengers and Boy Farashes.	25%

Categories of staff as given in Schedule 1 on page 77 of the Manual of Appointments and Allowances of Officers of the Indian Posts and Telegraphs Department.	Increase.
Section XVIII (a).—Packers, Porters, Messengers other than task-work messengers, Chowkidars, Watchmen, Gatemen, Hamals, Durwans, Office Peons, Farashes, Mail Peons, Letter-box Peons, Van Peons, Boat-men, Dandies, Manjhis, Tindals, Lascars, Cable-Guards, Attendants, Batterymen, Line Coolies, Telephone Coolies, Wire Coolies, Pressmen, Distributors, Inkers, Cleaners in Telephone Exchanges, Firemen, Liftmen, Weighmen, Lampmen, Khallassis, Coolies, Engine Coolies and other Whole-time employees.	25%
(*ii*) *Section XVIII (b).*—Task Work Messengers	50% (Subsistence Allowance).
(*iii*) *Section V.*—Postmen, Village Postmen, Mail Guards, Linemen, Line riders, Departmental Stamp Vendors at places other than Presidency towns, Shroffs and Bill Sircars. *Section XIII (b).*—Carpenters, Painters, Bicycle Mistries, Assistant Mistries and Motor Men.	20%
(*iv*) All other categories excluding Section's I, XII and XIV with the exception of Second Division Clerks and Accountants	15% subject to a maximum of Rs. 20.
(*v*) *Section I* (with the exception of Second Division Clerks and Accountants) *Section XII.*—Sub-Inspectors . . . . . *Section XIV.*—Conservancy Inspectors, Care-takers, Sanitary Inspectors and Commissionaires.	5% subject to a minimum of Rs. 5.

Note.—(1) The relief on the scale recommended should be extended to the employees of the Telephone Districts of Bombay (including Ahmedabad and Karachi), Calcutta and Madras and of the Telephone Workshops, appointed on or after 1st April 1943 on the Posts and Telegraphs scales of pay for corresponding categories.

(2) The employees on the unified scales of pay are excluded from the above relief.

II. Retrospective effect to be given to the above relief in respect of all the categories except category No. (*v*) from the 1st of January 1945 to the 30th of June 1946, *i.e.* for 1½ years on the basis of the relief on 1st July, 1946 (on the pay for June 1946).

III. Grain concession allowance to be given to all the new scale employees at places where no grain concession scheme is in operation, at a rate equal to the money value of the concession at Bombay, in respect of 3½ consumption units. The present value of the concession is Rs. 3-12-0 per month.

IV. Upgrading of all the 'C' areas into 'B' category with the result that the dearness allowance given to the new scale employees at places included at present in 'C' category will be increased by Rs. 2 per month.

208. I shall take the consideration of each of these reliefs and state why I have come to my conclusions.

I. As I interpret the terms of reference I have to suggest what the interim relief should be, having regard to the rise in the cost of living and the amount of monthly emoluments which may be reasonably regarded as absolutely necessary, especially for the lesser paid cadres of the Posts and Telegraphs Department. It is true that the problem of wages has got to be viewed against the economic background of the country having regard particularly to the general wage levels and the economic setting of the national life. There is some risk that an Adjudicator dealing with a particular set of employees may not attach sufficient importance to that aspect of the case. But the difficulty in this adjudication has been that I have not had sufficient time or opportunity of studying the problem in its wider aspect as also the conditions of service and the wage levels in other Departments and to compare them with those in

the Posts and Telegraphs Department. That problem will be dealt with in all its bearings, by the Pay Commission and so far as the interim relief is concerned no detailed examination of the problem is necessary. The relief that I recommend under the first head, is primarily based on the somewhat unsympathetic treatment that the employees in the Posts and Telegraphs Department on the new scales of pay received when the scales of pay were revised in 1931. Three things may be said to stand out fairly prominently :

(1) The percentage reduction on the new scales of pay as compared with the old scales of pay was on the whole higher in the Posts and Telegraphs Department than in other Departments. The only comparable category is that of clerks doing approximately the same kind of work—the percentage reduction in the case of Post Office Clerks and the Lower Division Clerks of the Circle Offices was higher than in most other offices of the Government of India.

(2) The absolute scale of pay for the comparable categories such as Clerks was lower in the Posts and Telegraphs Department than in other Departments of the Government of India.

(3) In most comparable cadres the maximum pay of the scale in the Posts and Telegraphs Department is lower than in many other Departments of the Government of India. These facts have been brought out in the statement included in Chapter IV of this Report.

209. The relief in the form proposed has a double object in view, namely :

(*i*) To reduce the gap between the pay of the employees on the new scale and the pay they would have drawn if the reduction in their scales of pay had been approximately of the same order as that in other Departments of the Government of India.

(*ii*) To give relief in a graded form thus enabling proportionately larger relief to be given to the lower paid categories than to the better paid categories.

210. The first object could have been achieved by giving as Personal Pay part of the difference between the new and old scales on a point to point basis. But as I have pointed out in the last Chapter it would have given rise to many difficulties and created numerous anomalies and it would have wholly failed to achieve the second object. It is true that in giving this relief I have taken into consideration the difference between the old and the new scales of pay. But it is one thing to consider it as a factor to be borne in mind in granting relief and quite another thing to link the relief to the old scales of pay.

211. The relief in the form of percentage increase which has been proposed avoids any direct consideration of the 1926 scales of pay. The relief being essentially for the purpose of giving a reasonable remuneration having regard to the cost of living and the nature of the work that the employee does, there is no reason why it should have any real relation to the 1926 scales of pay. I have calculated in respect of the more numerous cadres the effect of giving relief in this manner and I attach herewith a table setting forth the actual result of granting relief in the manner proposed. It will be noticed that in a large percentage of cases, particularly in the better paid cadres, the basic pay with the percentage increase proposed by me comes very nearly half-way between the old and the new scales of pay on a point to point basis. The basic pay with the percentage increase also brings the wage fairly in line with the wage the new scale employees would have received if the recommendations of the Cowasjee Jehangir Committee had been given effect to. Another point in

favour of this proposal is that on the basis suggested the pay of the clerks in the Posts and Telegraphs Department, particularly in the case of Post Office Clerks and the Lower Division Clerks in Circle Offices, would come more or less in line with the analogous cadres of clerks in other Departments. But the most outstanding advantage of giving relief in this manner is that the employees in the lesser paid cadres get proportionately higher relief than the employees in the better paid ones. This is as it should be because the employees in the lower paid cadres stand in greater need of relief than the employees in the better paid ones. In most cases it would be found that even with this increase the employees on the new scales of pay will be actually getting less than the employees on the old scales because most of the latter have by now put in more than 16 years' of service and would be drawing higher wages than the employees on the new scales even with this percentage increase.

212. I am aware that the above scheme of percentage increases will, in the case of Postmen and Lower Grade categories, result in employees on new scales of pay getting, particularly in the earlier years of service a little more than those on the old scales of pay with corresponding years of service, because in a large number of cases the minimum of the old scale was retained in the 1931 revision of the scales of pay, though the increments were halved and the maximum considerably reduced. In a few cases like the Postmen at Dhanushkodi the minimum was even raised, though the increment was halved and the maximum reduced as in other cases. Strictly speaking only the case of the employees on the new scales of pay is before me and I have to consider what relief is needed in their case. The result of such a scheme *vis-a-vis* employees on the old scales of pay is a consideration which is really irrelevant. But I cannot ignore the practical aspect of the proposal and must as far as possible consider whether any anomalies do arise and if so what is the best way of removing them. These anomalies are not the result of any defect in the scheme of relief which I am suggesting, but arise as a direct result of an attempt made in 1931 to fit in a great multiplicity of 1926 scales of pay into three groups. They are also due, in part, to the opportunity taken by the Department in 1931 to adjust the pay and allowances, as in the case of linemen. Any scheme of relief would, therefore, give rise to such anomalies and their existence should not be considered as a strain of weakness in the scheme itself, especially if those anomalies can be got over to a considerable extent by slight adjustments. In a large number of cases, however, this anomaly would cease automatically in the third or fourth year of service without any adjustment being necessary as the increments in the new scales of pay are smaller than those in the old scales. But in some cases like the Postmen at Dhanushkodi, Hyderabad (Deccan), Ranchi, Nagpur, Dacca, Darjeeling and Shillong, it may persist throughout the 16 years that the new scales of pay have been in force. It may also be found to exist in the case of linemen in whose case the Department took the opportunity to consolidate the pay by merging in it the compensatory allowance and thus making the start in the new scale of pay higher.

213. Direct recruitment of employees on the old scales of pay ceased 15 years ago and therefore ordinarily there should be no anomaly except in the case of old and new scale employees in their 15th or 16th year of service. But some of these cadres are also promotion cadres for men in the lower cadres so that even after 1931, employees in the lower cadres would enter the promotion cadres on the old scales of pay. Thus there will be men of less than 15 years of service both on the old scales of pay (by promotion) and on the new scales of pay (by direct appointment or promotion). If the percentage increases as suggested above are sanctioned, it is not unlikely that in some cases the emoluments of men on the new scales of pay may be slightly higher than those on the old scales of pay with equal length of service in that cadre.

214. Thus there will be two categories of staff in whose case anomalies might be found :

(*i*) Direct recruits employed during the early part of 1931 who would be on the old scales of pay and those recruited in the latter part of 1931 and in 1932, on the new scales of pay.

(2) Officials both on old and new scales of pay, promoted simultaneously from lower cadres.

215. With regard to the first category, since direct recruitment on old scales of pay ceased, and recruitment on new scales of pay began 16 years ago, the only anomaly that may arise would be, that an employee in the 15th or 16th year of service on the new scales of pay may get, with the percentage increase, about a rupee or so more than the employee on the old scale of pay with practically the same length of service. I do not think that the Department need bother about an anomaly of this kind because the employee on the old scale has had the advantage of drawing higher scale of pay for 16 years and it should not matter very much if an employee on the new scales of pay draws only a rupee or so more during the interim period.

216. In the second class of cases referred to above, the anomaly would automatically disappear in a large number of cases by about the fifth year, the reason being that the employee on the new scales of pay gets smaller increments. In such cases all that need be done is to give an option to men on the old scales of pay with less than five years of service, to come on to the new scales with the percentage increase that goes with it, if they consider such a changeover beneficial. In fact, this was exactly the manner in which Government removed the anomalies that were likely to be created by the introduction of the unified scales of pay. The suggestion, therefore, is not a novel one. With regard to the employees, who entered the cadre by promotion more than 5 years ago *i.e.* those who are now between the 6th and 15th years of service in those cadres, the same argument as in the case of direct recruits would apply ; those people have had the benefit of the higher scales of pay for a sufficiently long time not only in the promotion cadre but also in the lower cadre, and therefore if a man on the new scales of pay with equal length of service in that cadre gets, with the percentage increase, a little more than what the old scales employee gets, it should not be considered as a very serious anomaly.

217. So far as I can see, these are only hypothetical cases and in actual practice such cases would be found to be very few. The new scale being only 16 years old, men on the revised scales of pay could not have started getting promotion until about five years ago when the increase in traffic took place owing to the war. Since the case of all these people would be covered by the option to elect the new scales of pay it may be assumed, for all practical purposes, that no anomalies of such serious nature would be found as would vitiate the operation of the scheme suggested above. But in case such anomalies do come to notice, I recommend that the Director-General of Posts and Telegraphs may be given powers to resolve them. It is almost impossible, I think, to devise any scheme of relief which would both be equitable and avoid all possible anomalies.

218. Some remarks appear to be necessary with respect to the categories referred to in (*v*) above. Section I includes clerical employees in the offices of Heads of Circles and offices of Controller of Telegraph Stores, Superintendent of Telegraph Workshops, Electrical Engineer in Chief and Accounts Officer, Telephone Revenue, Delhi. Except in the case of Accountants and clerks of the Second Division, the 1931 revision of pay did not adversely affect this category as their revised scales of pay were very nearly the same as the old

scales and in some cases, even better. In view of this I find it difficult to recommend in their case the same measure of relief by way of grant of personal allowances as in the case of cadres included in (*i*) to (*iv*) above. On the other hand, I notice that in the year 1944, Government introduced unified scales of pay which were applied to Circle Offices at all stations, with a point of entry much higher than the initial pay of the new or even the old scale. Naturally Government had to give option to men already in service, whether they were on the new or the old scales, to come on to the unified scales with a maximum benefit of three years of service, if they found that the unified scales of pay were more advantageous. The result was that a large number of First Division Clerks up to the 10th year of service in Bombay and Calcutta and from the 6th to 8th years of service in other stations were benefited by this option and actually drew more pay; but those who had more service to their credit derived no benefit. Although the unified scales of pay were introduced as a temporary measure to facilitate recruitment and were not meant to be a measure of relief for the higher cost of living, yet it cannot be gainsaid that employees who actually came on to the unified scales of pay did receive considerable monetary benefit, which other employees in the First Division of the Circle Offices did not get. It is for this reason that I have excluded employees on the unified scales of pay from the relief recommended under heading (I). It must also be remembered that the category of people who were thus left out of the benefit of the unified scales stood in need of more relief because of the higher expenditure involved in supporting a growing family. Having regard to this consideration, I think a personal pay of 5 per cent. of their basic pay with a minimum of Rs. 5 would be a fair relief in their case. The number of people involved would be quite inconsiderable. As the unified scales of pay were open both to men on the old and on new scales, Government may perhaps consider the question of extending this relief also to the clerks on the old scales of pay in Circle Offices who are outside the scope of this adjudication.

219. In regard to the Selection Grade officials in Circle Offices, it is a fact that the reduction in their scales of pay was not very severe ; but it is also true that in their case the increment was reduced by 40% and the maximum brought down from Rs. 250 to Rs. 190. The number of people in this category on the new scales of pay is almost negligible and therefore they may be treated in the same manner as the first division clerks with respect to whom I have stated my recommendation in the preceding paragraph.

220. With regard to the employees mentioned in Section XII, namely Sub-Inspectors, the old and the new scales of pay are practically the same. But when the revised scales of pay were sanctioned, the compensatory allowance was reduced from Rs. 15 to Rs. 5 in Bombay, while in Calcutta the whole of the compensatory allowance of Rs. 12 was withdrawn for men on the new scales of pay. In many places the minimum and the maximum of the time-scale were reduced by Rs. 5 and Rs. 25 respectively. Thus, in a large majority of cases the revised scale of pay was slightly lower than the old scale of pay and in my opinion this class of employees also should be treated on the same footing as the first division clerks in Circle Offices and they should get as personal pay, 5 per cent. of their basic pay subject to a minimum of Rs. 5.

221. There remains only the last category, namely, the employees included in Section XIV, *i.e.* Conservancy Inspectors, Care-takers, Sanitary Inspectors and Commissionaires. In their case also the new scales were slightly better than the old scales. The total number of employees in this category both on the old and the new scales of pay hardly exceeds two dozens in the whole of India and in order to avoid any discontent by reason of they being the only people left out of relief, I recommend that these people should also be given a personal pay equal to 5% of their basic pay subject to a minimum of Rs. 5

II. The justification for giving retrospective effect to the relief proposed is that the employees on the new scales of pay have been particularly hard hit since 1942 when there was a meteoric rise in the cost of living. The allowance sanctioned by Government did not go far enough in relieving the distress. Most of the employees have run into debts and if retrospective effect is given in the manner proposed, the lump sum that they will receive may in some measure enable them to liquidate their indebtedness. I have not recommended giving retrospective effect in respect of category No. (*v*) as the relief given in the case of employees under that category is really for the purpose of removing any discontent that might otherwise be occasioned if they were the only persons excluded from relief and I do not see any necessity for giving retrospective effect to the relief in their case.

III. The third relief which I recommend is that the employees should be given a grain concession allowance at places where Government have not been able to make arrangements for providing cheap grain and other articles of food.

222. On the 21st of November 1944, Mr. N. M. Joshi asked Government in the Legislative Assembly as to what action they proposed to take with reference to a notice given by the Bombay Postmen and Lower Grade Staff Union asking for investigation into their grievances. In a supplementary answer given to that question Mr. W. H. Shoobert (now Sir Harold Shoobert) stated as follows:—

> " I may also inform the Honourable Member that the principle of arranging for sales of foodgrains at concession rates to the Posts and Telegraphs staff wherever practicable has been accepted by Government. "

223. Then on the 11th of April 1945, Prof. Ranga asked the Secretary, Posts and Air Department, whether the scheme for supplying grains at concessional rates to the staff of the Posts and Telegraphs Department on the lines of the Railway Department had been introduced and if so in what areas. He also asked what benefit the employees got under the grain concession scheme as introduced. Sir Gurunath Bewoor stated in reply that the principle of arranging for sales of foodgrains at concession rates to the Posts and Telegraphs employees wherever practicable had been accepted by Government and in pursuance of that policy the Department had worked out a scheme which had then been introduced in the City of Bombay and its suburbs. He further stated that in view of certain practical difficulties which had been encountered in extending the scheme to other areas the whole question would be re-examined with a view to securing an alternative method of affording the necessary relief in all areas. He added that the cash equivalent of the grain concession in Bombay at the then market rate averaged Rs. 5 per month.

224. After this reply was given, Government increased the Good Conduct Pay from Rs. 2 to Rs. 7 in the case of employees drawing less than Rs. 40 per month and sanctioned Good Conduct Pay of Rs. 5 per mensem in the case of employees drawing above Rs. 40 and below Rs. 120 p.m. (*vide* memo. No. A/35-24/45 dated 18-4-1945). But there is nothing in this letter to suggest that this concession was in lieu of cheap foodgrains. The fact that this increase was given even to employees at places where foodgrains concession scheme was in operation, indicates that it could not have been purely in lieu of foodgrains concession. This view receives confirmation from the circumstance that in Bombay foodgrain concession is given to the non-gazetted employees drawing pay up to Rs. 300 p.m. but the employees drawing more than Rs. 120 a month were not eligible to receive the Good Conduct Pay.

225. At present, the scheme of providing foodgrains at concessional rate is in operation only in a very few localities. Therefore, the relief proposed by

me by giving cash equivalent of foodgrain concession is merely an implementation of the promise which has been given by Government. It is quite true that in March last Government increased the Good Conduct Pay from Rs. 7 to Rs. 12 per month in the case of all employees drawing less than Rs. 40 per month and from Rs. 5 to Rs. 10 in the case of all employees drawing pay up to Rs. 160 a month. In his letter to the Director-General, Posts and Telegraphs, on the 4th of March 1946, Sir Gurunath Bewoor stated as follows :—

> " The Government of India have further considered the special circumstances of the Posts and Telegraphs employees for whom it has not been possible, on account of practical and administrative difficulties to arrange for the supply of foodstuffs and other essential articles at concession rates in all places in India as has been done in the Railway Department. Taking into consideration also the nature and conditions of work of the Posts and Telegraphs employees and as a special measure of relief for them, Government have now decided to increase the Good Conduct Pay from Rs. 7 to Rs. 12, in the case of all employees drawing less than Rs. 40 per month and from Rs. 5 to Rs. 10 in the case of all employees drawing pay up to Rs. 120. "

226. It might therefore be argued that the increase of Good Conduct Pay in March 1946 was in lieu of the grain concession which Government had promised. According to the statement of Sir Gurunath Bewoor himself the increase was given partly on account of the inability of Government to arrange for the supply of foodgrains and other essential articles at concession rates and partly also in recognition of the special nature and conditions of work of the Posts and Telegraphs employees. It is difficult to find out what element of this increase in Good Conduct Pay was by way of compensation for the failure of Government to redeem their promise to provide foodgrains at concessional rates. According to the answer given by Sir Gurunath Bewoor the value of grain concession at Bombay amounted, on an average, to Rs. 5 per month. On that basis the increase in the Good Conduct Pay could be regarded wholly as being in lieu of grain concession ; but Sir Gurunath himself stated that the increase was also in consideration of the special nature and conditions of work of the Posts and Telegraphs employees. The fact that this increase in the Good Conduct Pay also was given to employees in places such as Bombay, Delhi, Simla and Calcutta, where the cheap grain scheme was in operation, would appear to discount any suggestion that the increase in the Good Conduct Pay was wholly in lieu of the cheap grain concession. There is, therefore, some substance in the contention advanced on behalf of the Federation and the Unions that the increase in the Good Conduct Pay was really in recognition of the special conditions of work of the employees in the Posts and Telegraphs Department and a very small element, if any, in that increase could be regarded as being in lieu of foodgrains concession. Even with this increase the benefit did not reach all non-gazetted employees drawing upto Rs. 300 p.m. to whom the concession rate was promised, as the increase in Good Conduct Pay was given only to employees drawing a pay up to Rs. 160. This increase therefore cannot be regarded as being in fulfilment of the promise to provide cheap foodgrains. I, therefore, think that there is some justification for giving a grain concession allowance specifically earmarked as being in lieu of foodgrain concession. I annex to this report (Appendix XV) a table showing the calculations made in order to ascertain the exact money value today of the cheap grain concession now in force at Bombay. It would appear therefrom that for each consumption unit the benefit amounts to Rs. 1-1-2 per month. At present the benefit is given up to 4 consumption units including the employee himself. The average family consists of 3·5 consumption units and therefore in terms of

money the benefit at present amounts to Rs. 3-12-0. I recommend that every employee on the new scales of pay should be given Rs. 3-12-0 a month in lieu of cheap grain concession at places where the scheme of providing foodgrains at concessional rates is not in force.

227. As the prices of commodities go down the need of giving this allowance would gradually disappear and the money equivalent of this concession must also gradually diminish. I suggest that every 3 months calculation may be made to find out what the money value of the foodgrain concession at Bombay is and the value so ascertained should form the grain concession allowance for the following 3 months.

228. Out of the total number of 1,31,000 non-gazetted employees, it is estimated that about 1,00,000 are employed in areas in which grain concession schemes are not in operation. The proposed relief means an additional annual expenditure of Rs. 45, per employee, *i.e.*, a total annual expenditure of Rs. 45,00,000. This works out at 22·5 lakhs for the new scales employees who constitute roughly half the total strength of the non-gazetted staff of the Department.

IV. The last relief which I recommend is the abolition of what are described as 'C' areas, which really means those places which are not included either in Class A or Class B. The Posts and Telegraphs Department has three scales of dearness allowance for the three groups of areas classified as 'A', 'B' and 'C'. The present rates of dearness allowance in respect of these groups are as follows :—

	Rs.
'A' :—Below Rs. 40	20
Rs. 40 and above	22
'B' :—Below Rs. 40	16
Rs. 40 and above	18
'C' :—Below Rs. 40	14
Rs. 40 and above	16

In addition to the dearness allowance the Department gives Good Conduct Pay at the rate of Rs. 12 for all employees drawing a pay below Rs. 40 per month and Rs. 10 for all those drawing a pay of Rs. 40 to Rs. 160. The result, therefore, is that the minimum relief for all categories of employees is :—

Rs. 32 in A areas,
Rs. 28 in B areas, and
Rs. 26 in C areas.

229. The classification of the places into 'A', 'B' and 'C' areas for the purposes of dearness allowance has generally followed the classification for the purposes of pay when new scales of pay were introduced in 1935 with effect from 1931. Places grouped as 'A' were the most expensive places according to the economic conditions prevailing in 1935 ; those in group 'B' were less expensive than those in Group 'A' but definitely more expensive than all the remaining places, which were grouped in the general category 'C'. Appendix XVI attached to this Report shows the classification of stations for the purposes of scales of pay and for dearness allowance. In some cases the places which are in Group 'C' for the purpose of pay are in Group 'B' for the purpose of dearness allowance and in others, places which are classified as 'A' for the purpose of pay are classified as 'B' for dearness allowance. The classification for scales of pay which was fixed sometime in 1935 to some extent reflected the economic and other conditions of the respective areas. But after the war there was a general rise in prices and during the years 1942 to 1944 prices shot up very considerably. The general course of price movement during the war and

particularly during the years from 1942 to 1944 indicates that not only did the prices of food, clothing and other necessaries of life rise all over the country but the rise in prices in rural areas was higher than in the cities and urban areas. As I have shown in the Chapter dealing with the rise in the cost of living the average rise in the cost of living in 'A' areas was about 160 per cent. though in Bombay itself there was a rise of only 122 per cent. In 'B' areas the rise was 186 per cent. and if we exclude the Province of Madras, where the rise was not so high the average rise in 'C' area towns would be 192 per cent. This differential rise in the cost of living has almost obliterated any difference that may have existed in 1935 in the cost of living of the various localities classified as 'A', 'B' and 'C'. The present day conditions are different from those that obtained during 1938-39. Government themselves have admitted that 1931 scales of pay which were different in different localities classified as 'A', 'B' and 'C', have ceased to be real today. This must inevitably lead to the conclusion that the grouping which was adopted in 1935 cannot possibly be maintained under the present day conditions. The grouping of the localities under the three classes 'A', 'B' and 'C' must therefore be considered to have become unreal today for the purpose of dearness allowance. From the evidence which was placed before me it is abundantly clear that the prices of foodgrains and fuel were almost the same in all areas, and the prices of protective foodstuffs like milk, vegetables, meat and fish have risen almost to the same level in 'B' and 'C' areas. I understand that the Provincial Governments in the Punjab, Madras, U.P., Bengal and North-West Frontier have made no territorial distinction in their schemes of dearness allowance. The Bombay Government appears to have followed the Central Government classification but it also found it necessary to deviate from it to some extent, for although the suburbs of Bombay have been classified as 'B' areas by the Central Government, they have been classified as 'A' areas by the Provincial Government. As I have stated in paragraph 104 the evidence given by Mr. Deshpande shows that the rise in the cost of living is almost the same in urban and semi-urban areas as in the city areas and in many cases it is even greater in urban and semi-urban areas than the city areas. According to him due to rationing, control of cereals, dislocation of peace-time transport system and commandeering of food, the smaller places have become as expensive as urban areas excluding such places as Calcutta and Bombay. As stated above, whatever advantage the 'C' areas may have had in the matter of cost of living in 1935 has been more or less offset by the differential rise in the cost of living in most centres except perhaps those in Madras Province. There does not therefore appear to me to be any justification for retaining distinction between 'B' and 'C' areas.

230. While the Posts and Telegraphs Department's classification appears to have been based on the relative costliness of the different places in 1935, the Railways have adopted a somewhat different classification on population basis, the assumption being that places where there are large concentrations of population are more costly than those which are not so thickly populated. Although the Railway scale of dearness allowance based on their classification is lower than the Posts and Telegraphs Departments scale by about Rs. 2 it has to be borne in mind that the Railway employees are eligible for several other concessions—such as free travel, education for children, grain concession which is valued at about Rs. 14 p.m., etc., which are not available to the Posts and Telegraphs Department employees. The grouping followed by the Department has thus no real basis at present as a scheme for distributing relief in an equitable manner for the relative difference in the cost of living and a regrouping of the stations appears necessary. However, this would involve complicated investigations requiring expenditure of time and labour out of all proportion to the needs of an interim relief as the Pay Commission

will have an opportunity to look into this matter in greater detail. I think it should be sufficient for the purpose of this interim relief if the distinction between 'B' and 'C' areas is abolished and the 'B' scale of dearness allowance is given to all places at present included in the 'C' area. This relief is not likely to cost Government very much. I am informed that so far as the Posts and Telegraphs Department goes, about 60,000 of the non-gazetted employees (both on the old and new scales of pay) live in 'C' areas. The abolition of the C category for the purpose of dearness allowance really means that the employees on the new scales of pay serving in those places will get Rs. 2 a month more *i.e.* Rs. 24 a year involving an annual additional expenditure of Rs. 7,20,000. Even if it is decided to grant this relief to the employees on the old scales of pay also, it will mean an additional total expenditure of about Rs. 15,00,000 a year.

Total Incidence of Relief

231. The net effect of all these reliefs has been calculated in respect of the principal categories of employees in the tables attached as Appendix XVII to this report. In considering the adequacy or otherwise of the total relief, judged by the standard of cost of living which have been approximately calculated for the purpose of this enquiry, I have placed before myself the case of a new scale employee in his eighth year of service. It is at that stage in his career that he may be expected to have a family of a wife and two children *i.e.* a family consisting of the three consumption units which is the basis adopted in all the calculations made in Chapter VII for arriving at the approximate standards for the cost of living. The employee should about that stage in his service be getting emoluments approximating roughly to those standards. If the total emoluments work out to a smaller figure for an employee with less than 8 years' service it would not be a serious handicap as in such a case his family would be smaller and his expenditure not so great as that of an average family. If on the other hand, the total emoluments of an employee with more than 8 years of service work out to a figure higher than the standard, it may not be regarded as excessive as the employee's family would be larger and with growing children his responsibilities would be greater. These observations, of course, apply to an ordinary lower middle class and working class family for whom the figures have been worked out. They would not apply to higher cadres such as Selection Grades, Foremen, Telegraph Masters, etc., who belong to a higher income group.

232. Judged in this light the net results of the proposals in the case of employees in the 8th year of service are as follows :—

	Present total emoluments	Increase	Future total emoluments
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Clerks in Circle Offices—First Division—			
'A' Area —			
Bombay	134 4 0	5 0 0	139 4 0
Calcutta	127 5 0	5 0 0	132 5 0
'B' Area	108 0 0	8 12 0	116 12 0

———	Present total emoluments	Increase	Future total emoluments
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Clerks in Circle Offices—Second Division—			
'A' Area—			
Bombay	105 10 0	8 14 0	114 8 0
Calcutta	98 11 0	8 14 0	107 9 0
'B' Area	82 0 0	11 14 0	93 14 0
Clerks in Post Offices, Sorters, Sub-Post-masters—			
'A' Area—			
Bombay	110 1 0	9 7 0	119 8 0
Calcutta	103 2 0	9 7 0	112 9 0
'B' Area	86 0 0	12 7 0	98 7 0
'C' Area	79 0 0	13 11 0	92 11 0
Head Postmen and allied classes—			
'A' Area—			
Bombay	94 12 0	7 6 0	102 2 0
Calcutta	87 13 0	7 6 0	95 3 0
'B' Area	77 0 0	11 2 0	88 2 0
'C' Area	75 0 0	13 2 0	88 2 0
Telegraphists—			
'A' Area—			
Bombay	110 1 0	9 7 0	119 8 0
Calcutta	103 2 0	9 7 0	112 9 0
'B' Area	91 0 0	13 3 0	104 3 0
'C' Area	89 0 0	15 3 0	104 3 0

233. It will be noticed that so far as these lower middle class cadres (except Head Postmen and allied classes who come mid-way between clerks and postmen) are concerned the total remuneration is not far removed from the standards, namely, Rs. 120 to Rs. 125 for A areas and Rs. 100 to Rs. 105 for B and C areas.

———	Present total emoluments	Increase	Future total emoluments
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Postmen and allied cadres—			
'A' Area—			
Bombay	74 12 0	5 6 0	80 2 0
Calcutta	65 13 0	5 6 0	71 3 0
'B' Area	56 0 0	8 12 0	64 12 0
'C' Area	47 0 0	9 15 0	56 15 0
Packers, Porters, Chowkidars, etc.—			
'A' Area—			
Bombay	63 12 0	4 4 0	68 0 0
Calcutta	55 13 0	4 4 0	60 1 0
'B' Area	46 0 0	7 12 0	53 12 0
'C' Area	41 0 0	9 8 0	50 8 0

234. It will be observed that the total remuneration is in the neighbourhood of Rs. 65 to Rs. 70 for 'A' areas and of Rs. 55 to Rs. 60 for 'B' and 'C' areas, which are the approximate standards adopted for working classes. It is true that the packers, etc., in the '*B*' and '*C*' areas do not get emoluments approximating to the standard ; but their basic wages are as low as Rs. 16 and Rs. 15 respectively. Even so they will be getting more than three times their basic pay against an overall rise of 175% in the cost of living. Therefore the rise in the cost of living has not only been fully offset but the emoluments go some way in rectifying the original inadequacy of their pay.

	Present total emoluments	Increase	Future total emoluments
	Rs. A. P.	Rs. A. P.	Rs. A. P.
Boy Peons, Boy Messengers, etc.			
'A' Area—			
Bombay	52 12 0	3 12 0	56 8 0
Calcutta	48 13 0	3 12 0	52 9 0
'B' Area	41 0 0	7 0 0	48 0 0
'C' Area	37 0 0	8 8 0	45 8 0
Task Work Messengers			
'A' Area—			
Bombay	60 12 0	4 8 0	65 4 0
Calcutta	56 13 0	4 8 0	61 5 0
'B' Area	46 0 0	7 12 0	53 12 0
'C' Area	40 0 0	9 4 0	49 4 0

235. It is true that in respect of these two classes the total remuneration falls short of the standard, but this is due to the fact that their initial basic pay or allowance was low. It must be remembered, however, that it is not the object of the present scheme of relief to correct the basic inequalities in the pay-scales of the various cadres, presumably dictated by the varying considerations such as character of the duties to be performed, the probability of their promotion within a short time to a higher cadre, etc. It is also to be remembered that the boy peons get promotion to a higher cadre after 7 or 8 years of service. In the case of Task Work Messengers the emoluments have been calculated on the guaranteed minimum allowance. In actual practice the task work earnings exceed the guaranteed minimum, *e.g.*, a Poona Task Work Messenger (witness No. 43) with a basic allowance of Rs. 7 got a total monthly income of Rs. 55 on an average and with the increase proposed by me will get Rs. 62-12-0.

236. It will be noticed, however, that the relief on the whole is distributed equitably. It must be emphasised that this result has been achieved by a proper admixture of the reliefs under heads I, III and IV. Rejection of any one of these reliefs would upset the balance that I have attempted to maintain.

FINANCIAL ASPECT OF THE PROPOSED RELIEF

237. The relief under heads I, III and IV is recurring and that under head II is non-recurring. It has been estimated that the financial effect of the proposals will be as follows :—

Per year	To employees on new scales of pay in lakhs	To employees on old scales of pay in lakhs
Personal Pay by percentage increase	49·0	...
Grain Concession Allowance	22·5	22·5
Upgrading of ' C ' area	7·5	7·5
Total .	79·0 *plus* 30·0=109	

Non-recurring expenditure by way of arrears for 1½ years @ 49 lakhs per year to employees on the new scales of pay . . . . 73·5 lakhs

238. Therefore, so far as the employees on the new scales of pay are concerned Government will have to incur a non-recurring expenditure of Rs. 73·5 lakhs and a recurring expenditure of Rs. 79 lakhs. If they decide—as I hope they will—to give the grain concession allowance and the increase of Rs. 2 in the dearness allowance by upgrading all the ' C ' areas, also to the old scale employees (who are not within the scope of this adjudication) the recurring expenditure will be 109 lakhs of rupees and the non-recurring expenditure 73·5 lakhs of rupees.

Posts & Telegraphs Department	Pay on new scale	Pay *plus* percentage relief	Pay on old scale	Pay on Cowasjee Jehangir Committee's scale	Other Departments of the Govt. of India (New Scale)								Remarks
					Customs		Income-Tax		A. G.'s Office		Stores		
1	2	3	4	5	6		7		8		9		10
	Rs.	Rs.	Rs.	Rs.	Rs.		Rs.		Rs.		Rs.		
Clerks Circle Office Upper Division—													
A. area (Bombay & Calcutta)—			Bom. Cal.		Bom.	Cal.	Bom.	Cal.	Bom.	Cal.	Bom.	Cal.	
1st year . .	50	55	60 50	40+20*=60	80	80	130	130	50	50	80	80	
8th year . .	85	90	95 92	64+20*=84	110	110	175	155	78	78	115	115	
16th year . .	125	131	135 135	96+20*=116	150	150	175	155	110	110	160	150	
B. area (Cawnpore)—	Lucknow		Lucknow				Lucknow		Allahabad				
1st year . .	45	50	45	40+7†=47	...		80		45			60	
8th year . .	80	85	80	64+7†=71	...		100		66			88	
16th year . .	120	126	120	96+7†=103	...		100		100			120	
Clerks Circle Office Lower Division—													
A. area (Bombay & Calcutta)—			Bom. Cal.		Bom.	Cal.	Bom.	Cal.	Bom.	Cal.	Bom.	Cal.	
1st year . .	45	52	60 50	35+20*=55	50	45	50	35	50	45	50	45	
8th year . .	59	68	88 85	47+20*=67	71	60	65	50	65	60	65	60	
16th year . .	80	92	100 100	63+20*=83	95	80	85	66	85	85	85	85	

B. area (Cawnpore)—	Lucknow		Lucknow				Lucknow		Allahabad			
1st year . .	40	46	45		35+7†—42	...	60		45		40	
8th year . .	54	62	73		47+7†=54	...	75		59		54	
16th year . .	75	86	85		63+7†=70	...	75		80		75	
Clerks (and allied groups) in Post Offices (Combined scales)—												
A. area (Bombay & Calcutta)—			Bom.	Cal.		Bom.	Cal.	Bom.	Cal.	Bom.	Cal.	Bom. Cal.
1st year . .	40	46	60	50	35+20*=55	80	80	130	130	50	50	80 80
8th year . .	63	72	95	92	47+20*=67	110	110	175	155	78	78	115 115
16th year . .	87	100	135	135	76+20*=96	150	150	175	155	110	110	160 150
B. area (Cawnpore)—								Lucknow		Allahabad		
1st year . .	40	46	45		35+7†=42	...		80		45		60
8th year . .	58	67	80		47×7†=54	...		100		66		88
16th year . .	82	94	120		76+7†=83	...		100		100		120
C. area (Sialkot)—												
1st year . .	35	40	35		35‡	...		...		...		...
8th year . .	53	61	70		47‡	...		...		...		...
16th year . .	77	89	110		76‡	...		..		...		...

*Rate of Compensatory allowance recommended for Bombay, Calcutta, Aden, Quetta and Baluchistan.

†Rate of Compensatory allowance recommended for Cawnpore and a few other towns.

‡Cowasjee Jehangir Committee recommended Lower Division and Upper Division scales (each division was to consist of a first grade and a second grade but this has been treated for the present purpose as a continuous grade). These figures are calculated on the basis that a man would ordinarily have come on to the Upper Division scale in the 11th year of service as the Lower Division Cadre comprises only of 33-1/3 per cent. of the posts.

Posts & Telegraphs Department	Pay on New scale	Pay *plus* percentage relief	Pay on old scale	Pay on Cowasjee Jehangir Committee's scale
1	2	3	4	5
	Rs.	Rs.	Rs.	Rs.
Telegraphists (Circle Service)—				
1st year . . .	55	63	55	55+20=75*
8th year . . .	63	72	90	90+20=110*
16th year . . .	96	110	140	130+20=150*
				55+10=65†
				90+10=100†
				130+10=140†
				55+7=62‡
				90+7=97‡
				130+7=137‡
Postmen (and allied classes)—				
A. area (Bombay & Calcutta)—			Bom. Cal.	Bom. Cal.
1st year . . .	24	29	30 25	27 22
8th year . . .	27	32	37 32	34 29
16th year . . .	31	37	45 40	42 37
B. area (Cawnpore)—				
1st year . . .	22	26	23	21
8th year . . .	25	30	30	28
16th year . . .	29	35	38	36
C. area (Sialkot)—				
1st year . . .	18	22	20	18
8th year . . .	21	25	27	25
16th year . . .	25	30	35	33
Packers (and allied classes)—				
A. area (Bombay & Calcutta)—			Bom. Cal.	Bom. Cal.
1st year . . .	16	20·0	25 18	22 16
8th year . . .	17	21·3	28·5 21·5	25 19
16th year . . .	18	22·5	30 23	27 21
area (Cawnpore)—				
1st year . . .	15	18·8	15	16
8th year . . .	16	20·0	21·5	19
16th year . . .	17	21·3	23	21

*For Bombay, Calcutta, Aden, Karachi, Quetta and Baluchistan and stations on the Persian Gulf and the Mekran Coast.

†For Poona, Ahmedabad, Delhi, Lahore & Madras.

‡For Cawnpore, Amritsar, Rawalpindi, Peshawar, Agra, Lucknow, Meerut, Allahabad, Benares, Hyderabad (Deccan), Abbottabad and Simla.

Posts & Telegraphs Department	Pay on New Scale	Pay *plus* percentage relief	Pay on old scale	Pay on Cowasjee Jehangir Committee's scale
1	2	3	4	5
C. area (Jubbulpore)—	Rs.	Rs.	Rs.	Rs.
1st year . . .	14	17·5	15	13
8th year . . .	15	18·8	18·5	16
16th year . . .	16	20·0	20	17
Runners—				
1st year . . .	12	15·0	13 14 15 17	13 14 15 17
8th year . . .	13	16·3	14 15 16 18	14 15 16 18
16th year . . .	15	18·8	16 17 18 20	16 17 18 20
Boy Peons (and allied classes)				
A. area (Bombay & Calcutta)—			Bom. Cal.	Bom. Cal.
1st year . . .	12	15·0	18 12	16 11
8th year . . .	15	18·8	20 14	18 13
16th year . . .	15	18·8	20 14	18 13
B. area (Cawnpore)—				
1st year . . .	10	12·5	9	9
8th year . . .	13	16·3	11	11
16th year . . .	13	16·3	11	11
C. area (Jubbulpore)—				
1st year . . .	8	10·0	10	8
8th year . . .	11	13·8	12	9
16th year . . .	11	13·8	12	9
Task Work Messengers—				
A. area (Bombay & Calcutta)—			Bom. Cal.	Bom. Cal.
1st year . . .	8	12	12 10	12 10
8th year . . .	9	13·5	13·8 11·8	13·8 11·8
16th year . . .	10	15	15·8 13·8	15·8 13·8
B. area (Cawnpore)—				
1st year . . .	7	10·5	8	8
8th year . . .	8	12	9·8	9·8
16th year . . .	9	13·5	11·8	11·8
C. area (Sialkot)—				
1st year . . .	6	9	9	9
8th year . . .	7	10·5	10·8	10·8
16th year . . .	8	12	12·8	12·8

CHAPTER XII.—THE MEMORANDUM FILED BY THE FEDERATION OF POST AND TELEGRAPH UNIONS

239. The principal memorandum submitted was that by the Federation of Post and Telegraph Unions, Calcutta. The Indian Telegraph Association, the Indian Posts and Telegraphs Union, the All-India Telegraph Workmen's Union and the All-India Telephone Revenue Union associated themselves with the representation made by the Federation of which they were members. The All-India Postal and Telegraph (including R. M. S.) Administrative Offices Association also associated itself with the Federation's representation. The All-India Postal and R. M. S. Union, which is also described as the Union of Posts, Telegraphs and R. M. S., submitted a separate memorandum perhaps more detailed and exhaustive than that of the Federation. But when the enquiry actually commenced, Messrs. Kamble and Talpade on behalf of the union associated themselves with the case as presented by the Federation of which this union was a member. The case on behalf of the Federation and all these unions was opened by Dewan Chamanlal and wound up by Dr. Noronha.

240. The original demand of the Federation was that the employees on the new scales of pay should be restored to the old scales on a point to point basis. This demand was clearly outside the scope of the adjudication. Under the terms of reference I was asked to consider whether taking into consideration the various forms of relief already granted to them such of the employees as are governed by the new scales of pay require any further relief pending the findings of the proposed Post-war Pay Commission. The tacit assumption underlying this statement is that the employees would continue to be governed by the new scales of pay pending the findings of the Post-war Pay Commission. If the old scales of pay were restored the employees with whom this adjudication is concerned would cease to be " employees on the new scales of pay". This position was realised by the Federation when they stated at the beginning of paragraph 9 of their memorandum " In deference to the sensibilities of the opposite party on the topics of abolition (of the new scales) and restoration (of the old scales), the Federation does not press for a formal acceptance of its demand on this point".

241. The next demand of the Federation is for " a Personal Allowance equivalent to the difference in the remuneration (excluding dearness allowance and good conduct pay) which the staff are now receiving and which they would be receiving had they been recruited and granted increments in the corresponding old scales of pay such allowance to be paid with effect from April 1, 1944 ". This demand is really based on the very existence of the two scales for which it was submitted there was no justification. In paragraph 14 of the memorandum the Federation observed " the First Ground and Yard-stick of immediate relief is to be found in the very existence of the new scale of pay and there is no way of removing this wrong and of restoring distributive justice except by immediate grant of financial relief equivalent to the difference between the new and old scales of remuneration on a point to point basis". This demand, therefore, is not so much based on the needs of the employees on economic grounds as on the fact that two sets of employees doing exactly the same work were being paid at different rates. I have discussed in Chapter X why it is wrong in principle, difficult in practice and inequitable in its incidence to link any scheme of relief to the 1926 scales of pay. For the reasons given there I must reject the demand for relief in the form in which it is asked.

242. Then the Federation go on to point out the rise in the cost of living to establish what in their opinion is the minimum cost of living. They refer to the findings of the Bombay Textile Enquiry Committee that for a typical family of 3 consumption units the minimum living wage was between Rs. 50

and Rs. 55 in Bombay, Rs. 45 and Rs. 50 in Ahmedabad and Rs. 40 and Rs. 45 in Sholapur. But as Mr. Justice Chagla has pointed out in his Award* in the Bombay Electric Supply and Tramways Dispute, it was an ideal which the Committee laid down. It is not clear from the report of the Committee the prices of which year they took as the basis for arriving at these figures. I have attempted, in Chapter VII, with such material as is available, to find out what, in the 1945 conditions, was the cost " of the normal needs of an average employee regarded as a human being in a civilised community " (the definition of basic wages as laid down by the Commonwealth and Arbitration Court in the Harvester case). With regard to the working classes, I have tried to apply three tests :—

(1) Conclusions of the Rau Court of Enquiry.

(2) The approximate total cost on the basis of actual expenditure on food and the normal weightage given to that item in the average budget of the particular locality.

(3) The approximate figures at which the budgets are being balanced according to the enquiries conducted by Mr. Deshpande, Director, Cost of Living Index Scheme, Government of India.

243. With regard to the cost of living of the lower middle classes, I have considered the results obtained from :—

(1) the application of a co-efficient suggested by Mr. Deshpande ;

(2) the actual investigation of Mr. Subramaniam, Statistician, Office of the Economic Adviser to the Government of India, with regard to middle class family budgets.

244. The Federation then have produced what they describe as a budget of a typical middle class employee with a wife and two children, for food, clothing and shelter alone in a ' C ' area before and after the war. They conclude that on these three items alone the average expenditure was Rs. 89-5-1 before the war and Rs. 204-15-6 in December 1945. I have discussed in great detail in Chapter VIII the budget produced by the Federation as amplified in their rejoinder and the reply of the Department thereto and I have come to the conclusion that the estimate made by the Federation cannot be accepted and that in a ' C ' area the total income requirement of an average lower middle class family in 1945 was about Rs. 100 to Rs. 105 a month.

245. The Federation then propose that compensation for the rise in the cost of living should be linked to the fluctuations of price indices furnished by the Economic Adviser to the Government of India and urge that :—

(1) for employees drawing less than Rs. 35 there should be a compensation of Rs. 3 for every rise in 10 points in the price index ;

(2) for employees drawing more than Rs. 35 there should be a compensation of Rs. 7 per month for every rise of 10 points in the index ; and

(3) the upper limit for compensation should be Rs. 100 for the first rise of 10 points and should be raised by Rs. 75 for every additional rise of 10 points in the index.

246. In paragraph 10 of its reply the Department has pointed out the anomalies that would result from such a scheme, which makes it *prima facie* unworkable. The proposal to give a relief of Rs. 3 for every 10 points rise in the price index for employees drawing less than Rs. 35 appears to have been based on the suggestion of the Rau Court of Enquiry who say that there might be an increase in the dearness allowance of Rs. 1-8-0 per month for every rise of

*Published with the Government of Bombay, Political and Services Department, notification No. 5907/34-I. dated the 25th February 1946.

5 points. In Bombay there has been a rise of 130 points in the cost of living and on the basis of the demand made in (1) above, the relief should be of the order of Rs. 39 per month. At present the employees in Bombay get Rs. 32 as dearness allowance and good conduct pay and are also entitled to the benefits of grain concession which in money value, amounts to Rs. 3-12-0 a month. Thus the employees drawing less than Rs. 35 are at present getting very nearly what is demanded. When this was realised by the Federation, Dr. Noronha in his closing remarks demanded a compensation of Rs. 5 for every rise of 10 points in the cost of living, thus depriving the demand of any scientific basis which the original claim had. When the anomalies were pointed out by the Department, the rejoinder, which was unfortunately couched in somewhat sarcastic terms, sought to remove them by raising the demand from Rs. 3 to Rs. 5 for every rise of 10 points in the cost of living.

247. The Federation have given no basis for asking that in the case of employees getting more than Rs. 35 per month the compensation should be at the rate of Rs. 7 p. m. for every rise of 10 points in the cost of living, except the vague assertion in the course of arguments that the cost of living in the case of lower middle classes is 2½ times the cost of living of the working classes. It is not clear on what data this assumption is based. Mr. Deshpande's view was that on the food item the expenditure for a lower middle class family was about 80 per cent. higher than for a working class family. A working class employee does not pass into the lower middle class as soon as his pay rises above Rs. 35. In any case it is not shown that this demand is in any way co-related to the rise in the cost of living.

248. Although, therefore, I am not prepared to accept the basis on which the relief is demanded, I have indicated in Chapter XI the extent to which and the manner in which the relief should, in my opinion, be given. I have also calculated the effect of giving relief in the manner proposed on some of the typical middle class cadres. I have, in addition suggested that the relief should be with retrospective effect from 1st January 1945 though the Federation demand that it should be given with effect from 1st April 1944.

249. In the third part of their memorandum the Federation refer to the financial capacity of Government to meet the demands of the Federation. I have already discussed this aspect of the case in Chapter IX and I have nothing to add to what I have stated there.

CHAPTER XIII.—MEMORANDUM FILED BY THE ALL-INDIA POSTMEN AND LOWER GRADE (INCLUDING R. M. S.) STAFF UNION

250. In paragraph 2 of its memorandum the Union protests against the statement of Sir Gurunath Bewoor, Secretary to the Government of India, Department of Posts and Air, in paragraph 11 of his letter No. A-17-8/46, dated the 4th March 1946 to the Director-General of Posts and Telegraphs to the effect " Government, however, have taken note of the fact that the unions maintain that some additional relief to the men on the new scales of pay in the Posts and Telegraphs Department is necessary, pending the findings of the Commission." The union says that it was not a correct representation of the point of view of the union and that the suggestion intended to be conveyed in the above statement, namely, that according to the unions no additional relief was necessary to the men on the old scales of pay, was not correct. I am not aware of the exact nature of the negotiations which preceded the announcement of this adjudication. The statement made by Sir Gurunath may or may not be an accurate statement of the contentions of the various unions. But the fact remains that after the announcement of the terms of reference in connection

with the present adjudication no attempt was made by any union to have the terms of reference enlarged so as to bring within the scope of the adjudication the employees on the old scales of pay. It was on the 2nd of May when the formal proceedings of the public enquiry were about to begin that I was invited to request Government to enlarge the terms of reference. When I declined to do so—it being essentially a matter of policy whether the employees on the old scales of pay should be brought within the adjudication or not—the unions and the Federation took time to consider their position and when the proceedings were resumed on the 6th of May the matter was not mentioned. Further I made it clear at the preliminary meeting of the representatives of the unions and of the Department held at Delhi on the 26th of March 1946 that the adjudication was confined to the employees on the revised scales of pay, a position which is now recognised by the unions and the Federation and is indeed clear from the terms of reference themselves.

251. In paragraph 3 of its memorandum the union maintains that the terms of reference are wide enough to include all kinds of relief " which would enable the employees to maintain themselves on a reasonable standard under the present day increase in the cost of liviug, " a point which is not disputed by the Department.

252. The Union in paragraph 1 of its memorandum has referred to an annexure giving the list of demands submitted with the notice of strike dated the 12th February 1946. It says that " such of the said demands as come within the scope of the terms of reference to the adjudication should be awarded." The Department in its reply considers that only demand No. 6—that the dearness allowance should be adequately increased—and demand No. 8—that arrangements for the supply of foodgrains at concessional rates should be made at all places—come within the terms of reference ; apparently this position is accepted by the union, as no rejoinder contesting it has been filed.

253. In paragraph 4 of its memorandum a demand is made that " the men on the new scales of pay, who are in need of greater relief, should be restored to the pre-1931 scales of pay on a point to point basis or in the alternative, without prejudice to this demand for relief, a monetary compensation should be paid to the men on the new scales to equalise their total emoluments to those of the old entrants for equal length of service." The request that the scales of pay should be revised is clearly beyond the scope of this adjudication and the alternative request for relief based on the difference between the old and new scales of pay on a point to point basis was given up by Mr. Dalvi in the course of his address, as such a procedure would not have given adequate relief to the Postmen and Lower Grade Staff whom the Union represents. I have already discussed in Chapter X why I cannot accept any scheme of relief which is linked to the old scales of pay and it is not therefore necessary for me to enlarge upon that subject here.

254. In paragraph 5 of its memorandum the All-India Postmen and Lower Grade Staff Union adopts as its own, the memorandum dated the 18th December 1944, submitted on behalf of the Bombay Postmen Union and the Bombay Post Office Lower Grade Staff Union to the Postal Enquiry Committee, 1944, in so far as the same is relevant to the terms of reference to this adjudication. One of the annexures to that memorandum is a statement showing " a standard family budget " in which an attempt was made to show that the minimum requirements of a family consisting of a husband, wife and 3 children on food and fuel alone came to Rs. 52-1-0. I have discussed in Chapter VIII this budget in detail as also a correction slip given to the budget when the case for the union was opened by Mr. Dalvi. I have stated why in my opinion it is not possible to accept even the amended budget showing an expenditure of Rs. 103-7-0 a month as representing the present day cost of living for an ordinary working class family in Bombay.

255. After lodging a protest for not publishing the findings of the Postal Enquiry Committee, the union asserts in paragraph 8 that the new entrants were entitled to a two-fold relief, namely, " (*a*) restoration to the pre-1931 scale on a point to point basis or in the alternative to a money compensation equalising their emoluments with those of the old entrants for an equal length of service. (*b*) (in common with the old entrants) payment of the difference between their emoluments as calculated under (*a*) and the total minimum requirement for a reasonable standard of living on the basis of a family of 4 persons." As I have stated above, in the course of the argument demand (*a*) was not pressed and stress was laid only with respect to demand (*b*). But in elaborating this demand the union says in paragraph (9) that " in any event the new entrants (as well as the old entrants) were entitled to get the same ' real ' wages now (with further increments added) as they were getting when they were first taken into service." This claim is further amplified in paragraph 10 and it is stated " that the total emoluments of the new entrants should be increased in the proportion of the rise in the cost of living index number for Bombay which in August 1939 stood at 105 and in April 1946 at 250." If this request was to be understood as meaning that there should be full neutralisation of the rise in the cost of living, then there can be no doubt that so far as the categories of Packers, Runners and Boy Peons were concerned no relief was really necessary for in their case there has been more than full neutralisation of the rise in the cost of living. But Mr. Dalvi's real argument, though somewhat inadequately expressed in paragraphs 9 and 10 of the memorandum, was that the employees on the new scales of pay should be given a wage which will assure them "a reasonable standard of living " which is the expression used in paragraph 8 (*b*) of the memorandum. I have indicated in Chapter XI what would in my opinion be an adequate relief so far as the different categories of the employees on the new scales of pay are concerned and it is not necessary for me here to add anything to what I have already stated in that Chapter.

256. In paragraph 11 of the memorandum the union refers to the Textile Labour Enquiry Committee's opinion that the minimum basic wage for an industrial worker in the City of Bombay should be between Rs. 50 and Rs. 55 per month when the cost of living index was 105. The Committee, I think, mentioned those figures not as representing a minimum basic wage but as the minimum cost of living. At page 91 they clearly say that " it was not possible to lay down in any well defined terms the basis for the fixation of the minimum wage ; the standard of living and the conditions of the industry would always remain the guiding considerations." The conditions governing the wage of an industrial worker and that of a State servant are essentially different. Mr. Herman Finer in his book on the " British Civil Service " has quoted the following extract from the report of the Anderson Committee of 1923 :—

> " Two general considerations about the pay of State servants occur to us. On the one hand the State should hold the scales even between its own servants and those through whose enterprise its servants are paid. On the other hand, the employees of the Crown would have a real ground for complaint if their pay were related to wages in industries only in the time of low wages. If they do not get pay relatively to the boom they must be spared the full severity of the slump. The State as a model employer offers security, a pension, a dignified service and a moderate wage in exchange for the excitement and possibilities of private employment."

These observations apply of course when an attempt is made to compare the wages of workers in industrial concerns with those of employees in the civil service of the Crown. They have no relevance in the consideration of the question of the minimum cost of living which is presumably what the union means when it refers to minimum " basic wage."

257. In the concluding paragraph the Union refers to its intention of filing supplementary statements in respect of any special requirements of any Province or any District. The supplementary statements foreshadowed in this paragraph were filed when the enquiry was nearing its end and therefore no notice could be taken of them.

258. In the course of his arguments Mr. Dalvi referred to the standard budget and the evidence on behalf of the union. Both these have been examined by me in great detail in Chapter VIII. I have stated why I am unable to accept what is described as the standard budget of an average working class family in Bombay. I have examined the evidence given by the witnesses and have come to the conclusion that after excluding the evidence of certain witnesses who have special reasons for incurring excessive expenditure, the total expenditure based on the actual cost of food per month for an average family of three consumption units comes to between Rs. 55 and Rs. 60 for 'B' and 'C' areas.

259. In the course of the arguments Mr. Dalvi suggested two alternative methods of granting relief. Firstly by the payment of a lump sum and secondly by a percentage increase in the wages. He himself was in favour of relief by percentage increase, for a relief on that footing would be available to both old and new scale employees and if there was an addition to the basic pay then it would count towards pension. He thought the relief if given in this form would strengthen the union's case before the Pay Commission. He suggested that the employees may be divided into three categories, those drawing Rs. 30 and less, those drawing between Rs. 30 and Rs. 60 and those drawing above Rs. 60. The relief in this particular form, based on income categories, is in my opinion unsuitable because it fails to recognise any distinction in the standard of living of the different classes of employees. For example a total wage of Rs. 60 a month may be sufficient for a Postman in a 'B' area but totally inadequate for a clerk whose standard of living is admittedly higher. Therefore a scheme of relief based on a slab system might fail to give adequate relief to certain classes and might on the other hand give more than what is needed to other classes. If the idea is to obtain relief to the employees on the old scales of pay also, then it must be understood that those employees are outside the scope of this adjudication; and so far the advantage of an addition to the pension goes it has to be remembered that no new scale employee would be eligible for pension by the time the Pay Commission reports. I have, in the scheme proposed, suggested a percentage addition to the basic pay bearing in mind particular categories of workers, the actual pay drawn by them and the extent of relief required in the respective cadres. I have also recommended that the relief should take the form of a Personal Pay.

260. Mr. Dalvi lastly made a request that the relief might be given with retrospective effect. This request was not made in the memorandum of the union but I have, in the relief proposed, recommended giving retrospective effect to the percentage increase in the basic pay from 1st January 1945.

CHAPTER XIV.—THE MEMORANDA FILED BY THE ALL-INDIA TELEGRAPH UNION AND ITS BOMBAY BRANCH

261. The memorandum filed by the Bombay Branch of the All-India Telegraph Union concerns itself almost exclusively with the demand that "the *ex*-lower division clerks of the Posts and Telegraphs Department should be brought on to the old upper division scale of pay from the date on which each one of them reached the maximum in the *ex*-lower division scale and their present pay be fixed accordingly." The Branch further demands that on such refixation of pay all the arrears of pay due to them on that basis should be paid to the officials concerned.

262. I have already stated in Chapter IV dealing with 1931 scales of pay that there was only one cadre of clerks up to 1927. In that year a lower division cadre was created and the original clerical cadre was re-named as the upper division. These two cadres had parallel scales of pay in the different localities. In Bombay the upper division cadre had a scale of Rs. 60—5—160 and the lower division a scale of Rs. 60—4—100. The lower division cadre, as already mentioned, was created for work of a routine nature and the duties of the clerks in the two divisions were not interchangeable. The recruitment to this lower division cadre was originally confined to Postmen and other lower grade staff. The cadre was avowedly created for reducing the cost of the clerical establishment and for affording an additional avenue of promotion to Postmen, Mail guards and Telegraph Messengers who had the requisite qualifications. The total strength of the cadre was fixed at not less than 33 1/3 per cent. of the whole clerical cadre. The recruitment to the upper division cadre naturally came to be suspended until the new cadre reached 33 1/3 per cent. when the recruitment to the upper division was to be made at the rate of 50 per cent. by direct recruitment and 50 per cent. by promotion from the lower division clerks. As the lower categories referred to above could not provide 33 1/3 per cent. of the cadre, recruitment was thrown open to outsiders so as to reach the strength of 33 1/3 per cent. as early as possible. In 1931, when the new scales of pay were introduced, the original upper and lower division clerks were merged into the new first and second grades, *i.e.*, the clerks in the upper division were counted against the strength of the new first grade and those in the lower division were counted against the strength of the new second grade. The old upper and lower division clerks were allowed to retain their old scales of pay as a personal concession (see letter No. ESA-3/37/28, dated the 4th of October 1937 from the Director-General, Posts and Telegraphs Department, to the General Secretary, All India Telegraph Union, Calcutta). The strength of the two cadres was, however, fixed in the ratio of 50 : 50. As there was a large percentage of men in the old upper division cadre for the obvious reason that the lower division cadre had come into being only in 1927, the strength of the first grade cadre at the time of reconstitution was far in excess of the second grade cadre with the result that the Department decided that promotion from second grade to first grade should be stopped until the ratio of the strength of the two cadres reached 50 : 50. It is this order stopping promotion from the second to the first grade until the ratio 50 : 50 was reached that has given rise to the present complaint.

263. This ban on promotion has not affected employees on the new scales of pay. As the employees on the new scales of pay require 16 years to reach the top of the second grade and as the new scales of pay have been in existence for 15 years, no one on the new scales of pay has so far reached the maximum of the second grade and the ban on promotion to the first grade has not, so far, adversely affected the employees on the new scales of pay. But it has operated to the disadvantage of the men on the old scales of pay. The clerks in the old lower division reached the maximum of their scales of pay within 10 years and by reason of the fact that there was a ban on the promotion to the first grade many of the employees had to stagnate at the top of the second grade for several years. The position was also made somewhat anomalous by the fact that the duties of the clerks of the first and second grades were made interchangeable. The clerks in the second grade did exactly the same work as the clerks in the first grade. The Department realised that this was a somewhat unsatisfactory position and has recently removed the ban on promotion and the two grades have been amalgamated into a running scale. But in doing so, the Department gave credit only up to one year to all those admitted to the first grade scale of pay. This has given rise to this anomaly that a clerk who has been for 4 or 5 years at the top of the second grade received a pay of Rs. 105 precisely in the same manner as a clerk who reached the top of the second grade one or two years ago and

was able to get promotion to the first grade without waiting longer owing to the amalgamation of the two scales into a running scale. However, this demand relates, as I have stated above, primarily to the employees on the old scales of pay and they are, strictly speaking, outside the scope of the present adjudication. Merely because the order of fixing the ratio at 50 : 50 and of banning promotion to the first grade was passed simultaneously with the introduction of the revised scales of pay it does not have the effect of converting clerks on the old scales of pay into employees on the revised scales of pay. They continued to be employees on the old scales of pay and there was merely a change in their conditions of service. The conditions of service cannot be regarded as immutable and in my opinion no relief can be given to them within the scope of the present adjudication.

264. The memorandum filed by the All-India Telegraph Union begins by saying that the terms of reference " should be enlarged so as to include in this adjudication (*a*) old lower division clerks who were merged into the new second grade cadre introduced in 1931 and whose conditions of service were unjustly altered during the depression period for reasons of economy and (*b*) employees of the private Companies, like the Bengal Telephone Corporation Limited, which were acquired by Government in 1943." I have already stated above, in considering the representation made by the Union's Bombay Branch, how the case of old lower division clerks is not within the scope of the adjudication. The second prayer with regard to the employees of Companies like the Bengal Telephone Corporation is also outside the scope of this adjudication. There is no dispute that since the Companies like the Bengal Telephone Corporation and the Bombay Telephone Company were taken over on 1st April 1943, the employees of those Companies became the employees of the Posts and Telegraphs Department. But the adjudication is limited to " such of the non-gazetted employees of the Department as are governed by the new scales of pay." The expression " new scales of pay " as used in the operative part of the Government order must be read with reference to the preamble para. 3 of which reads as follows :—

> " There is, however, in the opinion of the Government of India one question raised by the Unions which requires separate consideration, enquiry and adjudication, namely, the question relating to the adequacy or otherwise of the reliefs already granted by the Government of India to the non-gazetted employees in the Posts and Telegraphs Department, governed by the new scales of pay introduced since 1931."

265. It is clear from this that the dispute relates to the non-gazetted employees of the Posts and Telegraphs Department governed by the new scales of pay introduced since 1931. This obviously has reference to the revised scales of pay introduced by the Department in 1935 with effect from 16th July 1931. The expression will undoubtedly cover men recruited by the Department on their scales of pay, since the Companies were taken over in 1943 and also those in the new cadres created by the Department and for this reason they have been brought within the scope of relief. But the expression cannot be said to apply to the new scales of pay introduced by the defunct Companies since 1931. For instance in the case of Bombay Telephone Company the scales of pay were revised by them in 1933 ; those governed by them cannot be said to be " on the new scales of pay introduced since 1931 " for the purpose of this adjudication. When the order was passed, Government had clearly in their mind the employees on the revised scales of pay introduced by the Department and not by the defunct Companies. The mere fact that the employees on the revised scales of pay of the defunct Companies are Government servants and are treated as such for the purpose of granting dearness allowance and Good Conduct Pay does not make them employees on the Posts and Telegraphs Department's revised scales

of pay. If that were the criterion as argued by the union, Posts and Telegraphs Department employees on the 1926 scales of pay would also come within the scope of this adjudication, as they are also Government servants entitled to dearness allowance and Good Conduct Pay. The union was aware of this position and therefore made a prayer that "if necessary the terms of reference should be enlarged".

266. The union suggests that the paying capacity of the Department should not weigh in determining the amount of relief that may be recommended. I have already dealt with this subject in Chapter IX.

267. The Union next suggests that whatever relief may be granted in this adjudication should be classified as pay for calculating pension, gratuity, etc. I have already recommended that the relief based on a percentage increase in the basic wages should be designated as personal pay. In any case the employees on the new scales of pay are not likely to get the benefit in respect of their pensions by the proposed classification for none of them (the oldest having put in only 15 years of service) would ordinarily be due to retire before the Pay Commission's recommendations are given effect to and all the pays are revised with effect from 1st January 1947 as already announced by Government.

268. The Union next goes on to urge that the telegraph service should receive special treatment because it is a security and public utility service in which the employees have to do irregular and long hours of work with few holidays throughout the year. In this connection, however, it must be mentioned that Dr. Noronha summing up on behalf of the Indian Telegraph Association and the Federation of Post and Telegraph Unions stated that he did not want that the Telegraph Branch of the Department should be treated with any special consideration. He pointed out that this adjudication had been brought about by the combined efforts of the employees in both the branches of the Posts and Telegraphs Department and so far as he could speak for the Telegraph Branch of the Department he did not want any special favour to be shown to that Branch.

269. Then the union goes on to point out what drastic reduction there was on the new scales of pay and how the reduction went far beyond the recommendations of the Cowasjee Jehangir Committee. In his argument in support of the union's case, Mr. Chatterjee particularly referred to the case of Task Work Messengers, Inspectors of Peons and the Telegraphists and pointed out that the new scales of pay in respect of these three categories were subjected to a very high percentage of reduction. I have already referred to this aspect of the case in the Chapter dealing with the new scales of pay and I have nothing to add to what I have stated there. I agree with the general submission made that the employees on the new scales of pay are in need of relief and I have already indcated the extent to which in my opinion relief should be given.

270. The union then refers to the increasing indebtedness of the subordinate staff in the Bengal and Assam Circle and has attached to its memorandum a statement showing the indebtedness of the members of the Calcutta Central Telegraph Office Co-operative Credi Society. I have reproduced this statement in Chapter VI and have, for this very reason, recommended retrospective effect being given from 1st January 1945 to the percentage increase in pay suggested by me.

271. In paragraph 9 of its memorandum the Union demands that the distinction between 'A', 'B' and 'C' areas should be abolished. I have considered this matter in an earlier Chapter and have recommended the abolition of the distinction between 'B' and 'C' areas.

272. The union next demands that the relief should be on the footing of the replacement of the new scales of pay on a point to point basis by the old scales. I have already stated why, in my opinion, it would be wrong in principle and inequitable in practice to link the relief to the 1926 scales of pay. (See Chapter X).

273. The Union then goes on to demand that in addition to the relief by restoration to the 1926 scales of pay, " there should be a compensatory allowance at a rate of not less than Rs. 3 per diem subject to the minimum total emoluments of Rs. 90 per month to the lower paid employees". This demand appears to have been based on the practice that prevailed when the employees of the Department were in the Defence of India Corps. They were given a ration allowance of Rs. 1-1-0 per day and on that footing the demand is made that for three members of the family there should be an allowance of Rs. 3 a day or Rs. 90 a month. I do not see any reason why a ration allowance sanctioned under a particular set of circumstances should be taken as the basis for granting relief when those circumstances have ceased to exist. Nor has it been shown to me that relief on this footing is in any way related to the rise in the cost of living or to the requirement of the case.

274. The Union then submits that the employees working in Bengal and Assam Circle should be given a special relief at the rate of 25 per cent. of their pay. This submission is based on the ground that there were additional demands on the income of such employees on account of their transfer to non-family areas and for the maintenance of double establishment for a prolonged period. But this demand ignores the fact that when the conditions as described in the memorandum did exist, the employees were given several concessions in the form of militarisation allowance, uniform allowance, ration allowance, etc. In any case for the interim relief in the near future I do not see why such extraneous circumstances which have ceased to exist, should be taken into account.

275. Lastly the union prays that the dearness allowance should be increased in the case of Telegraph employees in hill stations, who have, it is urged, to incur additional expenditure for protection against climatic conditions. But, as pointed out by the Department, this demand is based on some misapprehension because in classifying areas for the purpose of pay and dearness allowance, the cost of living in hill stations has been given due consideration and most of the hill stations have, on that account, been included in 'B' areas. In addition the employees at hill stations get compensatory allowance, winter allowance, fuel allowance, etc. wherever circumstances justify such payments.

276. Mr. Chatterjee in the course of his arguments made a special reference to the case of Telegraphists whose pay was brought on a par with that of clerks, although the Telegraphist was required to have special technical training. It is quite true that there was in 1931 very considerable reduction in the scale of pay of Telegraphists, but one of the reasons why the pay of Telegraphists was brought on a par with that of clerks was that owing to the introduction of the teleprinter the work of a Telegraphist had become akin to that of a clerk. Teleprinters have already been established in certain big offices like Calcutta, Bombay, Agra and Delhi and if the war had not intervened the teleprinter would have been in still wider use. According to the post-war plan of the Posts and Telegraphs Department the teleprinter would be installed in very many offices and the work of the Telegraphists would not require the special technical training which would otherwise have been necessary. Moreover, there are about 4,000 Post and Telegraph Offices in which about 6,000 postal signallers have to do the duty of sending telegraphic messages in Morse Code. These postal signallers get no overtime allowance and the nature of their work does not permit them to take turns with someone else. As compared with the postal signaller, the Telegraphist already stands in a comparatively happier position.

He can earn overtime allowance, his duties keep rotating, and he gets night duty only for one week in a month. Mr. Chatterjee also referred to the shortage of staff and to the fact that there was no fresh recruitment to the telegraphist cadre between 1935 and 1940. The recruitment was stopped as there was a distinct decline in the telegraphic traffic and the Department decided to convert departmental telegraph offices into combined offices to reduce expenditure. As a result of these measures, it was found that the Department had on their hands more telegraphists than were necessary and fresh recruitment had to be stopped in order to be able to absorb this surplus. Meanwhile the war started and during the war there was sudden increase of traffic. It was for this reason that the shortage of staff became noticeable and the incidence of night duty might have become higher during war years than was the case before the war. It can hardly be argued that the shortage in staff during war years was brought about with a view to effecting economy when it is clear that the Department had to pay higher rates to non-departmental telegraphists and also to spend large sums on overtime wages.

CHAPTER XV.—MEMORANDUM FILED BY THE TELEPHONE WORKERS' UNION—DISTRICT AND WORKSHOP—BOMBAY, KARACHI AND AHMEDABAD

277. This union represents the employees of the ex-Bombay Telephone Company which was acquired by Government on the 1st of April 1943. Before the Company was taken over by Government, the Bombay Telephone Company had in its employ two sets of employees—those who were recruited before the 1st of March 1933 known as the old entrants and those employed after the 1st of March 1933 who were styled as new entrants. The employees recruited prior to the 1st of March 1933 were governed by scales of pay which were somewhat more liberal than those which were made applicable to those employed after the 1st of March 1933. The union's memorandum has expressed its emphatic and considered opinion that even the scales of pay which were applicable to the old entrants were quite inadequate. Then the union goes on to assert that during the period of depression after 1931 the Company took full advantage of the unemployment that was then prevailing and re-fixed the scales of pay for those who joined service after the 1st of March 1933. After the Company was taken over by Government on the 1st of April 1943, the employees that were engaged after that date were governed by the Posts and Telegraphs Department scales of pay. Thus at present we may roughly say that there are three sets of employees: (1) those governed by the Company's old scales of pay and recruited prior to the 1st of March 1933 ; (2) those governed by the Company's new scales of pay and recruited after the 1st of March 1933 ; (3) those who are on the Posts and Telegraphs Department scales of pay and were recruited after the 1st of April 1943. After the Company was taken over, the work of the Company was divided into two units known as the Bombay Telephone District and the Bombay Telephone Workshops, and the conditions mentioned above obtain in both the units.

278. There is no dispute that the category of employees referred to at No. (3) above comes within the scope of adjudication, and I have already stated in the Chapter relating to relief that the same should be extended to the employees of the Telephone District of Bombay (including Ahmedabad and Karachi), Calcutta and Madras and of the Telephone Workshops, appointed on the Posts and Telegraphs scales of pay for corresponding categories, on or after the 1st of April 1943.

279. So far as category (1) is concerned, there is again no dispute that they are outside the scope of the present adjudication. The employees in that

category were recruited before the 1st of March 1933 and are drawing a pay on the old scales fixed by the Telephone Company.

280. But it has been urged that the employees falling under the second category are within the scope of the adjudication for the reason that they were recruited after the 1st of March 1933 and are governed by the scales which were revised in that year, just as the Posts and Telegraphs Department scales were revised in 1935 with retrospective effect from 1931. It is urged that now that the employees have become the servants of the Posts and Telegraphs Department, their case should be considered as being exactly on the same footing as that of the non-gazetted employees of the Posts and Telegraphs Department on the revised scales of pay whose case has been referred to this adjudication. I have already dealt with this point in considering the memorandum of the All-India Telegraph Union in connection with the employees on the revised scales of pay in the employ of the *ex*-Bengal Telephone Corporation. For the reasons given there, in my opinion, the case of these employees is also not covered by the terms of reference to this adjudication. After, however, the terms of reference to this adjudication were announced, some question arose as to whether the case of the employees on the Company's new scales of pay was covered by the terms of reference or not. On the 7th of March 1946 the General Manager, Telephones, Bombay District, informed the Telephone District staff that Government were prepared to consider the future scales of pay for all non-gazetted staff in the most detailed manner with due regard to the staff's views. On the same day the same Officer, under instructions from the Director General, Posts and Telegraphs, informed the District staff that by reason of the appointment of an Adjudicator the strike proposed to be resorted to by the staff would be illegal until the expiry of two months after conclusion of the proceedings by the Adjudicator. On the next day, again under the instructions of the Director General of Posts and Telegraphs, the General Manager issued a notice that the notice of the 7th of March 1946 regarding appointment of an Adjudicator applied only to those members of the staff—both superior and inferior—who had joined the District since 1st April 1943. In view of these somewhat conflicting directions it was not altogether clear to the union whether the employees on the Company's new scales of pay would have an opportunity of presenting their case to the Adjudicator or not. The Director General, however, offered to meet the employees on the 12th of March 1946. The minutes of that meeting have been annexed as appendix N to the union's memorandum. According to those minutes, the Director General explained to the union that the appointment of an Adjudicator to report regarding the question of additional relief to the men on the new scales of pay in the Posts and Telegraphs Department affected the entire Department including the Telephone District and the Workshop where all men employed after the assumption of control of these organisations by Government, were on the Posts and Telegraphs Department revised scales of pay. Mr. Kasbekar, the Joint Secretary of the Union, asked the Director General whether the Adjudicator would consider the case of staff employed by the Bombay Telephone Company on their revised scales of pay introduced in 1933. The Director General did not give an immediate reply to that question but informed the union on the 12th of March 1946 that if the Bombay Telephone Workers' Union wished to state its case to the Adjudicator within the terms of the adjudication, it would be afforded an opportunity to do so. It will be noticed that the Director General was careful to say that the opportunity which was to be made available to the Telephone Workers' Union was with respect to matters falling within the terms of adjudication. Whether a particular case fell within the terms of reference or not was a question to be decided by the Adjudicator himself, and I have already expressed my view that as the terms of

reference stand, the employees on the Bombay Telephone Company's revised scales of pay are not within the scope of the adjudication. However, as the union understood that the case of the employees on the *ex*-Bombay Telephone Company's revised scales of pay would be considered by me and as the Department has now no objection to my doing so, I shall proceed to consider how far the demand for relief in their case is justified.

281. There is no doubt in my mind that the employees of the *ex*-Bombay Telephone Company on the revised scales of pay introduced in 1933 are much better off than the employees in the corresponding categories in the Posts and Telegraphs Department. I give below a table which shows at a glance the old and the revised scales of pay of the Bombay Telephone Company and of the Posts and Telegraphs Department for certain comparable categories in the different branches :—

Scales of Pay (Old and New) of the Bombay Telephone Company, Ltd. and the Posts and Telegraphs Department for certain comparable categories

Category	Old Scales		New Scales	
	B.T.Co.	P. & T. Dept.	B.T.Co.	P. & T. Dept.
(1)	(2)	(3)	(4)	(5)
Workshop—				
Painters—				
1st Grade	80—5—105	..	70—4—82	25—½—45
2nd Grade	60—5—80	..	50—3—65	25—1—45
Carpenters—				
1st Grade	80—5—105	60—4—100	75—4—95	45—3—96—100
2nd Grade	60—5—80	30—1—50	55—3—70	25—1—45
Workshop Coolies	25—2—29	25—½—30	25—1—28	16—1/5—18 *plus Rs. 5.
Electrical Department—				
Test Room Wiremen	70—5—90	20—1—40† *plus Rs. 10.	60—4—80	24—½—34 *plus Rs. 5.
Instrument Inspectors—				
Grade I	100—7½—152½	60—4—100	90—5—140	‡45—3—96—100
Grade II	70—5—90	60—4—100	60—4—80	‡45—3—96—100
Exchange Inspectors—				
Grade I	175—15—250	120—5—140—10—290—20—350	160—7½—220	§85—5—120—10—240
Grade II	120—7½—160	60—5—160 plus Conveyance Allowance.	100—5—150	‖45—45—3—90—5—120 ¶plus Rs. 15.
Grade III	60—5—110		65—4—93	
Traffic Department—				
Telephone Operators—Sub-Ex-changes (Male).	60—5—100	60—5—160	60—5—100	45—45—3—90—5—120 *plus Rs. 5.
Mains Department—				
Cable Jointers—				
Grade I	100—7½—130	60—5—130	90—5—120	45—3—96—100
Grade II	70—5—90	60—4—100	65—4—85	
Aerial Line Department—				
Linemen	31—2—49	20—1—40 *plus Rs. 10.	30—2—42	24—½—34 *plus Rs. 5.
Stores Department—				
Motor Drivers	70—5—85	**60—5—130	60—4—80	**45—3—96
Clerical Cadres—				
Clerks (Special Posts).	.. *	††250—20—350 *plus Rs. 15.	200—300—325	††200—10—250 *plus Rs. 17.
Clerks (Grade I) Also Steno-typists—(Grade I).	..	††160—10—250 *plus Rs. 10. *or Rs. 17.	160—10—200	††130—6—190 *plus Rs. 17.
Clerks Grade II	..	‡‡60—5—160	110—10—150	‡‡45—45—3—90—5—120 *plus Rs. 5.
Also Steno-Typists (Grade II) Clerks Grade III—(Also Typists)	..	§§60—4—100	70—5—105	§§45—2—65—3—95 *plus Rs. 5.

* Compensatory Allowance.
† Lineman.
‡ Telephone Mistri.
§ Engineering Supervisors.
‖ Telephone Inspectors.
¶ Conveyance Allowance.

**Engine Drivers.
††Selection Grades, Senior or Junior.
‡‡Upper Division or Combined Cadre, in the case of new scales.
§§Lower Division Cadre.

A comparison of columns 4 and 5 makes it clear that the new scale employees of the Posts and Telegraphs Department are in a far worse position than the employees of the ex-Bombay Telephone Company under their revised scales of pay. The painters of the Posts and Telegraphs Department on the revised scales of pay have an initial salary of Rs. 25 with an increment of Re. 1 reaching up to a maximum of Rs. 45. Painters on the Company's revised scales of pay have an initial salary of Rs. 50, *i.e.*, Rs. 5 more than the maximum salary reached after 20 years by the Posts and Telegraphs Department painters. The increments are Rs. 3 at first, then Rs. 4, and the scale reaches a maximum of Rs. 82 in eight years' time. Similarly, in the case of carpenters, the initial salary of a Second Grade carpenter on the revised scales of pay of the *ex*-Bombay Telephone Company is Rs. 55, a point which the new scale Second Grade Carpenter of the Posts and Telegraphs Department does not reach even after 20 years' service. In fact the revised scales of the Bombay Telephone Company are even better than the old scales of pay of the Posts and Telegraphs Department in the corresponding categories. This is clearly seen by comparing figures in columns 3 and 4. Taking the clerical cadre, for instance, a third grade clerk on the Company's revised scales has an initial salary of Rs. 70 with increments of Rs. 5 going up to Rs. 105. The old scale of the Posts and Telegraphs Department for clerks was Rs. 60—4—100 for the Lower Division and Rs. 60—5—160 for the Upper Division.

282. It is thus clear from the above table that in almost all comparable categories the revised scales of pay of the *ex*-Bombay Telephone Company were better than even the old scales of pay for comparable categories under the Posts and Telegraphs Department. Needless to say that they are infinitely better than the new scales of pay of the Posts and Telegraphs Department. It is, therefore, no surprise that when Government offered to departmentalise the services of the *ex*-Bombay Telephone Company's staff, the suggestion was stoutly opposed by the entire staff. In paragraph 6 of its memorandum the Union admits that the suggestion was resented by the staff on the ground that it involved a reduction of emoluments to the extent of 25 per cent. and of the withdrawal of the *ex*-Bombay Telephone Company's privileges.

283. When the Company was taken over by Government, it was on the understanding that on their transfer to Government, the terms and conditions on which the employees had been recruited by the Telephone Company would be continued in their case unless they were varied with the mutual consent of the employees and the Government (see appendix D to the memorandum). At a meeting held on the 3rd of December 1942 Mr. H. Sur, Secretary, Government Telephone Board, pointed out to the employees, whose case was represented by Mr. Jhabwala, that the grades of pay of the Bombay Telephone Company were in fact better than those of Posts and Telegraphs Department, that on their transfer to Government, the terms would be the same as those under which the staff were working under the Company and that that was not the occasion to revise the grades of the Company (see appendix C to the memorandum). It is thus plain that even those employees of the Company who were recruited after 1933 are not only enjoying the benefits of higher scales of pay but have also been made eligible for privileges which they used to get under the *ex*-Bombay Telephone Company, such as bonuses, etc. So highly are these privileges, which the employees used to get under the defunct Companies, cherished by them that when it was suggested that the food grains which the employees got from the Department at concessional rate may be removed by them without the supply of paper bags for carrying them home, the employees insisted that according to the conditions under which the Company was taken over, they were entitled to all the privileges, and one such privilege was the supply of rations in paper bags provided by the Company. The

Department had to honour its promise by issuing paper bags for the carrying away of the grain even though there was scarcity of paper at the time. In addition to receiving emoluments on a higher scale of pay and the concessions which they used to get under the defunct Telephone Companies, the employees also get the benefit of the dearness allowance and the Good Conduct Pay which the Department has sanctioned to its own employees. *Prima facie* therefore there seems no justification for giving any further relief to the employees on the Company's revised scales of pay.

284. The whole case of the union as stated in its memorandum appears to have been based on the fact that there has been an enormous rise in the cost of living, and the union has annexed to its memorandum a large number of appendices intended to demonstrate what pay the employees should get in accordance with the rise in the cost of living. Elaborate calculations have been made to show what loss the employees have suffered because the rise in the cost of living has not been fully offset by a corresponding rise in wages.

285. This argument suffers from two fallacies. It does not take into account the argument that it is not every rise in the cost of living that justifies a claim for an additional wage for neutralizing it. Secondly it ignores the consideration that all persons were expected to, and did actually make certain sacrifices owing to the conditions created by the War and the shortage of food and services with the result that the standard of living has had to be reduced in many cases. It is only those employees who were on the subsistence or below the subsistence level who were entitled to have the rise in the cost of living fully neutralised. Those above that level had a certain margin for retrenchment and were therefore not justified in asking that the rise in the cost of living should be fully neutralised. Both these aspects have been discussed by me in Chapter VI. Chart F appended to this union's memorandum itself shows that the categories of office peons, binders, sweepers, chaprasis, coolies, electrical coolies, office hamals and grain-shop coolies have had the rise in their cost of living fully or more than fully neutralised. Further, according to their present emoluments, almost every employee, except an office peon, gets a wage of Rs. 60 or more. The employees who may be regarded as belonging to the lower middle class, such as clerks, are getting emoluments of Rs. 120 or more. According to the approximate standards which I have adopted, such emoluments will not warrant any additional relief. I am therefore of the opinion that the demand of the Telephone Workers' Union, in so far as it asks for relief for employees on the Company's revised scales of pay, must be rejected.

CHAPTER XVI.—THE MEMORANDUM FILED BY THE BOMBAY PRESIDENCY TELEGRAPH WORKMEN'S UNION

286. This Union represents about 700 employees, mostly inferior servants. Their case was argued by Mr. Dalvi, and the demand made on their behalf was that the pre-1931 scales of pay should be restored to all the inferior servants, and the compensatory allowance should be increased even after the employees were restored to the 1926 scales of pay. I have already stated in Chapter X that it would be wrong to link the relief to 1926 scales of pay primarily for the reason that such a procedure would not benefit the inferior servants whom this Union represents. The difference between the old and the new scales of pay in the case of inferior servants is very small, and the restoration to the old scales of pay would provide no appreciable relief. Although therefore I must reject the demand for giving to these inferior servants the difference between the old and the new scales of pay by way of relief, I have suggested an alternative method which, in my opinion, would provide better relief than the one suggested by the union.

CHAPTER XVII.—MEMORANDA FILED BY OTHER UNIONS

287. I have so far dealt with the memoranda submitted by the unions whose case was argued before me in the course of this adjudication ; but there are several other unions who have merely submitted memoranda without either leading any evidence in support of them or arguing the case before me. I shall briefly refer to each one of those memoranda in this Chapter. Only the memoranda which were received within the prescribed date and on which the Posts and Telegraphs Department had opportunity to comment, are considered here.

The Multan Branch of the Union of Posts and Telegraphs and R. M. S. :—

288. This memorandum contains demands relating to overtime allowance, double duty allowance, casual leave, insurance services, house-rent allowances and leave. It further says that all the necessities of life should be supplied by the Department in the same way as the railways do, including free medical assistance for the members of the families of the employees. It asserts that free passes should be issued for the employee and his family to visit his native place and to come back. There are also several other demands relating to the working of the offices and the departmental rules and procedure. Finally it suggests that dearness allowance and good conduct pay should be given even to the pensioners of the Department. Clearly most of these demands are outside the scope of this adjudication. It is not for me in this adjudication to examine the conditions of service of the Posts and Telegraphs employees, but I am informed that house-rent allowance is already being sanctioned for places where the grant of such allowance is considered necessary. Medical aid is available to the employees and their families from hospitals and dispensaries provided by Provincial Governments and Local Bodies. The adequacy of the dearness allowance and the scales of pay have already been discussed by me in earlier Chapters and I have recommended what, in my opinion, is the relief that should be given to the various categories of the Posts and Telegraphs employees. The case of pensioners is clearly outside the terms of reference to this adjudication as also the various demands made in respect of the operation of the Departmental rules and of working conditions in Posts and Telegraphs offices.

The Kashmir Postal Employees' Union :—

289. This union demands that for those employees drawing a pay up to Rs. 40 there should be a dearness allowance of Rs. 40 and for those drawing a pay of more than Rs. 40 there should be a dearness allowance of Rs. 50. The union has given no data in justification of the demand of dearness allowance on this scale. I have already indicated what I think is the relief required by the various categories of the Posts and Telegraphs employees on the new scales of pay, and this point need not therefore be considered further here. The union also says that the number of posts reserved for war service candidates should be drastically reduced. This is again a matter which relates to conditions of service and is therefore outside the scope of this adjudication. The union says that Kashmir should be classified as " A " area for dearness allowance and for scales of pay. It is impossible to believe that all places in Kashmir stand, so far as cost of living goes, on the same footing as Calcutta, Bombay or Ahmedabad which are the only places now included in category " A " for dearness allowance. In any case, any such demand would require a detailed inquiry which would be within the purview of the Pay Commission.

The Telegraph Engineering Staff Union, Cawnpore :—

290. The memorandum from this union contains five prayers the first of which refers to the revision of the scales of pay of linemen, sub-inspectors and

line-inspectors. This demand is clearly outside the scope of the adjudication as the revision of the scales of pay is a matter which properly falls within the scope of the Pay Commission. The second prayer relates to the abolition of the distinction between "A", "B" and "C" areas and all linemen being paid at scales fixed for "A" areas. This classification, so far as the basic rates of pay is concerned, is not within the purview of this adjudication, and so far as the classification for the purpose of dearness allowance goes, I have already suggested the abolition of the distinction between "B" and "C" areas. The third demand of this Union is for the payment of overtime and duty allowances which really pertains to the conditions of service and has no reference to the question of interim relief with which alone this adjudication is concerned. The fourth prayer of the Union is that rent-free quarters should be provided to the linemen of the Telegraph Engineering Department or that adequate house-rent allowance should be given in lieu thereof. There has been no appreciable rise in house rents during the last 3 or 4 years owing to rent restriction measures, and where it has been found necessary, the Department has already sanctioned compensatory house-rent allowance. The last point in this memorandum relates to the supply of foodgrains at cheap rates. In the relief which I have recommended, I have suggested giving of grain concession allowance at places where it has not been found possible for the Department to supply rations at concessional rates.

Memorandum submitted by the Bombay Posts and Telegraphs Muslim Association

291. The first suggestion of the Association is that some relief is needed in the case of the non-gazetted employees on the 1926 scales of pay. These employees have been specifically excluded from the terms of reference and it is therefore not possible for me to consider their case. The Association then goes on to demand that so far as the Muslim employees of the Posts and Telegraphs Department are concerned, there should be an increase in the dearness allowance depending upon the strength of the family of each employee ; that there should also be free medical aid, reduction of hours of work, supply of foodstuff at concessional rates and additions to the good conduct pay. The first request is clearly untenable as it is impossible to fix dearness allowance depending upon the strength of the family of each individual. Medical assistance is already provided by the existing dispensaries and hospitals run by Local Governments or Local Bodies. The third prayer relating to the reduction of hours of work is again not within the scope of this adjudication. I am not asked to consider the onerousness or otherwise of the conditions of service. As regards the last request, I have already recommended the giving of a grain concession allowance at places where the Department has not found it feasible to supply food grains at concessional rates.

Memorandum from some ten members of the Posts and Telegraphs Account Service

292. In so far as these employees ask for a revision of their scales of pay, the demand is outside the scope of this adjudication. Their cadre was created in 1938 on the model of the cadre of the subordinate Accountants Service of the Audit Department. Recruitment to this cadre is made by the appointment of departmental men who qualify themselves by passing the Post and Telegraph Accounts Service Examination. Because the cadre was created after the 16th of July 1931, the revised scales of pay of the Audit Department were made applicable to them. These Officers are already included in the scheme of relief which I have suggested. There is no separate cadre of Accountant

Superintendents. When any senior Accountant works as Accountant Superintendent in the office of the Director General of Posts and Telegraphs, he gets a special pay of Rs. 100 if he is put in charge of budget or rates section otherwise he draws a special pay of Rs. 30 in every other post. These Accountant Superintendents continue to be senior Accountants but their designation is changed into Accountant Superintendents during the period that they hold charge of the sections and get the special pay. There is, therefore, no occasion to consider the case of Accountant Superintendents as a special category.

The Tele-Communication Engineering Association (India), Punjab and N.-W. F. Province Circle

293. This Association submits that the minimum emoluments of the Engineers and Wireless Supervisors should be Rs. 200 per month. The only reason given for this demand is that the cost of living has risen by 300 per cent. The statement is clearly inaccurate as the rise in the cost of living for India as a whole is 175 per cent. Moreover, it is wrong to assume that all wages must necessarily increase in proportion to the rise in the cost of living; it is only those whose wages are on, or below, the subsistence level that must have the rise in the cost of living fully neutralised. The Engineering Supervisors and Wireless Supervisors draw salary on a scale of Rs. 80—5—120—10—240 and their minimum remuneration at present is Rs. 106 excluding the concession of rent-free quarters or house-rent allowance in lieu thereof. These Officers are already included in the general scheme of relief suggested by me and I do not think that anything further is required to be done in their case.

The Posts and Telegraphs Industrial Workers' Union, Calcutta

294. The Memorandum submitted by the Union cannot be considered for the purpose of this adjudication as the industrial workers do not come in the category of "non-gazetted employees of the Department". They are not in receipt of any pay on a fixed scale as in the case of non-gazetted employees of the Posts and Telegraphs Department.

The Simla Branch of the Union of Posts and Telegraphs and R.M.S.

295. The All-India Union has supported the demands of the Federation of Posts and Telegraphs, but the Simla Branch has submitted a separate memorandum in which the principal demands are: a cent per cent increase in salary, increase in compensatory and house-rent allowances and grant of dearness allowance at the rates demanded by the Federation. Revision of the basic salary is outside the scope of this adjudication, and with respect to the other two demands I have already suggested what relief is, in my opinion, necessary. The special conditions in Simla have been taken into account in the grant of compensatory allowance, winter allowance and the sanction of winter outfit at periodical intervals. During winter months clerks and others are given a choice of exchanging the winter allowance for the compensatory allowance. It is true that postmen and Lower Grade staff do not get compensatory allowance during non-winter months but they do, on the other hand, get house-rent allowance or free quarters to which the clerks and higher categories of employees are not eligible. The actual difference, so far as the allowances go, between the postmen and Lower Grade staff and the other categories of employees is not more than two or three rupees a month,

The Bengal and Assam Branch of the All India Telegraph Workmen's Union

296. This union demands that the distinction between the 'A', 'B' and 'C' areas be abolished, and a daily compensatory allowance of Rs. 3 be granted to all employees. I have already recommended the abolition of the distinction between 'B' and 'C' areas and I have already dealt with the demand for Rs. 3 per day as compensatory allowance in considering a similar demand made by the All India Telegraph Union. The Union further demands house-rent allowance of Rs. 15 per month for bachelors and Rs. 25 per month for married officers. At present house-rent allowances are sanctioned at places where the prevailing rents for residential accommodation are abnormally high. In places such as Bombay, Calcutta and Delhi compensatory rent allowance has also been sanctioned. At other places the additional expenditure involved in paying higher rents has been taken into account in fixing the dearness allowance. The third demand of the union is that all allowances should be considered as pay for the purpose of calculating pension. I need not consider this demand for the purpose of interim relief, as none of the employees on the new scales of pay would be due for retirement during the next year or two.

CHAPTER XVIII.—OTHER REPRESENTATIONS

297. In addition to the various memoranda that were received from the unions, I also received, in response to the public notice, representations from several individuals. A large number of them related to matters covered by the memoranda submitted by the unions. Many of them were concerned solely with personal grievances. Some of them were clearly beyond the purview of this adjudication when they asked for a revision of the scales of pay. In so far as they referred to service conditions such as inadequacy of outstation allowance, difficulty of getting leave, the onerous character of the work, the block in the promotion owing to the recruitment to the first grade of clerks being stopped until the ban was removed recently, classification of certain areas as 'B' and 'C', limited application of the unified scales of pay, etc., they dealt with matters, which were strictly outside the scope of adjudication, but which have been referred to and dealt with to some extent in Chapter VIII and in Chapters XII to XVII.

298. There were a few representations from what are known as extra departmental agents. These are officials employed as part-time workers and their remuneration which is fixed on the basis of work done by them ranges from Rs. 6 to Rs. 20 p.m. They are not given any scale of pay since—being part-time workers—they have means to supplement their income from other sources. The Department usually employs for this work only those men who have other sources of income and therefore would not depend on the Post Office allowance for their subsistence. As a matter of grace, the Department has decided to pay all extra-Departmental Branch Postmasters dearness allowance at Rs. 5 p.m. and also Good Conduct Pay at Rs. 5 p.m. irrespective of their monthly allowance. As these employees are not on any scale of pay—revised or otherwise—they are not within the scope of this adjudication and their representations cannot therefore be considered.

CHAPTER XIX.—ACKNOWLEDGMENTS

299. Although the conclusions I have arrived at and the views I have expressed in this report are my own and I take full responsibility for them, it is with very great pleasure that I acknowledge the assistance I have received

from several quarters. The case for the Federation and the unions was presented by Dewan Chamanlal, Mr. Dalvi and Mr. Talpade with eloquence and ability—which one has learnt to expect from counsel of their eminence and standing. Mr. Dalvi was ably assisted by Mr. Kavlekar, who often deputised for him. Although not accustomed to expound cases in courts, Dr. Noronha admirably wound up the case for the Federation and Mr. Chatterjee most lucidly presented the case of the All-India Telegraph Union. I am most thankful to them for their assistance.

300. Against this array of opponents Mr. L. J. Sajnani, Assistant Director-General of Posts and Telegraphs, presented the case of the Department with knowledge, tact, sympathy and ability that was most impressive. During his cross-examination of the witnesses, his sense of humour and understanding often relieved certain awkward moments when witnesses, not accustomed to court ways, made some indiscreet remarks. He and his Department were always ready to obtain information, collect figures and make calculations that were required by me and without their willing co-operation, I might not have been able to produce this report within the time it has actually taken. I am very grateful to Mr. Sajnani and the Department for their assistance.

301. The witnesses examined before me at Simla came from all over India at considerable inconvenience and expense to themselves. I am very thankful to them and to other union officials who have co-operated with me in this inquiry in a manner that was very gratifying. The Department also very kindly gave them all the facilities which it could give them under the Rules.

302. I have had often to make calls on the assistance of the staff of the Labour Department of the Government of India. They have always been ready to co-operate with me. I have to thank Mr. S. C. Joshi, the Chief Labour Commissioner of the Government of India, who was always ready to assist me with his advice. At my request Mr. Subramaniam—the Statistician of the Office of the Economic Adviser to the Government of India—collected and supplied me with figures with regard to the Family Budgets of the employees of the Government of India (excluding Railways) belonging to the middle classes for various centres and provinces in India. Special mention must be made of Mr. Deshpande, Director of the Central Government Scheme for preparing cost of living indices for India. At my request he specially tabulated the material he had collected, prepared tables and supplied them to me at short notice and I have made very extensive use of them for the purpose of this inquiry. He was also good enough to give evidence in camera after he received the necessary permission from the Labour Department. Although he was on leave for the greater part of the month of May, he gave me very willingly all the assistance and advice I wanted. I must express my indebtedness to both Mr. Deshpande and Mr. Subramaniam.

303. Lastly I must thank my office staff—particularly my Secretary, Mr. P. S. Easwaran. They have had to work at very high pressure and make arrangements for the inquiry at Delhi and Simla and on the whole they managed the office with a degree of efficiency which has eliminated complaints from all quarters. Mr. Easwaran's knowledge of service and labour matters and his assistance in preparing tables have been very valuable.

G. S. RAJADHYAKSHA.

The 15th July, 1946.

PART II.—APPENDICES

APPENDIX I

(*See* CHAPTER I)

GOVERNMENT OF INDIA

DEPARTMENT OF LABOUR

New Delhi, the 5th March 1946

No. L. R. 2 (28).—Seven unions of the non-Gazetted employees of the Posts and Telegraphs Department and the Federation of such unions have served notices on the Director General of Posts and Telegraphs, stating certain demands of the employees and communicating their intention that the employees shall cease work if their demands are not conceded. The names of the unions and of the Federation are:

(1) The Indian Telegraph Association, Ltd.

(2) The All-India Postal and R. M. S. Union.

(3) The All-India Telegraph Union.

(4) The Indian Posts and Telegraphs Union.

(5) The All-India Telegraph Workmen's Union.

(6) The All-India Postmen and Lower Grade (including R. M. S.) Staff Union.

(7) The All-India Telephone Revenue Union.

(8) The Federation of Post and Telegraph unions.

2. The Government of India have had under their consideration most of these demands and they have already indicated to the unions the action they have taken or propose to take thereon.

3. There is, however, in the opinion of the Government of India, one question raised by the unions which requires separate consideration, enquiry and adjudication, namely, the question relating to the adequacy or otherwise of the reliefs already granted by the Government of India to the non-Gazetted employees in the Posts and Telegraphs Department, governed by the new scales of pay introduced since 1931.

4. The Central Government has, therefore, decided to refer the said dispute for adjudication under Rule 81A of the Defence of India Rules. The said Order of Reference is published below for general information:—

ORDER

WHEREAS in the opinion of the Central Government it is necessary to make the following order for securing the maintenance of supplies and services essential to the life of the community:

NOW THEREFORE in exercise of the powers conferred by Rule 81A of the Defence of India Rules, the Central Government is pleased:—

(*i*) to refer to Mr. Justice Rajadhyaksha for adjudication the trade dispute between the non-Gazetted employees of the Indian Posts and Telegraphs Department and the said Department, the matter for adjudication being whether taking into the consideration the various forms of relief already granted by the said Department to the said employees, such of the employees as are governed by the new scales of pay, require any further relief pending the findings of the proposed Post-War Pay Commission, and if so, the nature and extent of the relief required; and

(*ii*) to direct that the adjudicating authority shall so far as may be necessary for the purpose of adjudicating the said dispute, exercise such powers as are conferred on, and follow such procedure as is prescribed for, the Board of Conciliation under the Trade Disputes Act, 1929 (VII of 1929) and the Trade Disputes (Central) Rules, 1938.

The Central Government is further pleased to direct with reference to sub-rule (1) of Rule 119 of the Defence of India Rules that notice of the above order be given to all concerned by publishing it in the *Gazette of India*, and by sending copies thereof by post to each of the following:—

(1) The Indian Telegraph Association, Ltd.

(2) The All-India Postal and R. M. S. Union.

(3) The All-India Telegraph Union.

(4) The Indian Posts and Telegraphs Union.

APPENDIX I—*concld.*

(5) The All-India Telegraph Workmen's Union.

(6) The All-India Postmen and Lower Grade (including R. M. S.) Staff Union.

(7) The All-India Telephone Revenue Union.

(8) The Federation of Post and Telegraph Unions.

S. LALL,
Additional Secretary.

APPENDIX II

(*See* CHAPTER I)

Written statements submitted by Unions

THE FEDERATION OF POST AND TELEGRAPH UNIONS

The matter for adjudication in the trade dispute between the non-Gazetted employees and the Executive of the Indian Posts and Telegraphs Department is defined in the Department of Labour Order No. L. R. 2 (28), dated the 5th March, 1946, as follows :—

> " Whether taking into consideration the various forms of relief already granted by the said Department to the said employees, such of the employees as are governed by the new scales of pay require any further relief pending the findings of the proposed Post-War Pay Commission, and if so, the nature and extent of the relief required."

2. The order sets no limits to " the nature and extent " of the relief that you may decree. Nevertheless the Secretary, Posts and Air, presumably in his capacity as the employer's agent, appears to be making attempts to limit your powers and fetter your discretion. In his communication to the Director-General, Posts and Telegraphs, No. A. 17-8/46, dated the 4th March, 1946, he has stated :—

> " As regards the demand for the immediate abolition of the new scales of pay and the restoration of everyone in the new scales of pay to the old scales of pay, I am to state that in view of the concessions already enjoyed and the additional concessions now to be granted, Government feel that there is no justification for such immediate abolition. There are, moreover, several practical difficulties in the acceptance of any such demand. It is, therefore, considered that the employees on the new scales of pay can justifiably be asked to await the findings of the Commission. Government, however, have taken note of the fact that the unions maintain that some additional relief to the men on new scales of pay in the P. & T. Department is necessary, *pending the findings of the Commission*. Government feel that this is a matter which should be enquired into and reported upon by an independent authority."

3. We find nothing in the order of the Labour Department which supports the suggestion that you are precluded by your terms of reference from recommending relief to an extent equivalent to the restoration of the old scales of pay, or in excess of it. Nor have the unions ever maintained, as implied in the statement above, that *some* additional relief less in extent than the restoration of the old scales, would satisfy the ends of justice, pending the findings of the Pay Commission. On the contrary, we have consistently maintained that even the immediate restoration of the old scales of pay would not constitute an adequate measure of interim relief in view, among other things, of the present cost of living.

4. As the cost of living must obviously be taken into account in deciding the extent of immediate relief required, it is regrettable that the Secretary for Posts and Air has sought to confuse the issue in this regard also. We quote from the proceedings of a meeting between the representatives of the Federation and the Secretary for Posts and Air held on the 12th March, 1946 :—

> " The Federation expressed great disappointment at Government's rejection of the request for an increase in Dearness Allowance, and pressed for the inclusion of this question in the terms of reference of the Adjudicator.
>
> " Sir Gurunath Bewoor replied that the terms of reference had already been settled, and that all he could do would be to convey the views of the Federation to Government.
>
> " It was pointed out by Dewan Chaman Lall, however, that the terms of reference to the Adjudicator did not preclude the grant of additional Dearness Allowance to the employees on the new scales of pay, and that this would necessarily have a bearing on the Dearness Allowance of other employees.
>
> " Sir Gurunath Bewoor said he could not anticipate what the Adjudicator would do. As regards the latter part of Dewan Chaman Lall's statement, he pointed out that the Adjudication was confined to men on the new scales of pay only ".

APPENDIX II—*contd.*

The Federation has not suggested that the scope of your adjudication, Sir, extends beyond the employees on the new scales of pay. Our request for the specific inclusion of Dearness Allowance in your terms of reference was motivated by the desire to secure an acknowledgment from the Administration of an obvious fact: that you cannot go into the question of the immediate relief required without examining the rise in the cost of living. It is astonishing that the Administration should betray a reluctance to acknowledge this point. We reiterate, therefore, that it is fully within your powers, to recommend whatever relief is justified on the merits of the case. Provided this principle be accepted, the Federation is prepared to yield to the opposite party's sensitivity about the phraseology of the tags and titles which may be attached to such relief.

5. Since the order of the Labour Department does not specify the yard-sticks by which you are to measure the nature and extent of relief justified, the Federation submits that the choice of these yard-sticks is within your discretion. The Federation submits that these yard-sticks will be found in the Memorandum submitted by the Federation to the Director-General, Posts and Telegraphs, on the 4th February 1946—since this Memorandum was the origin of the dispute—and in the accepted principles of equity. They are three in number:—

(*i*) The demand of the Federation for the immediate abolition of the new scales of pay, on the ground of their intrinsic injustice and inadequacy.

(*ii*) The rise in the cost of living since 1939, and the moral obligation of the employer to pay the employee a living wage.

(*iii*) The financial capacity of the P. & T. Administration to meet the reliefs demanded by the Federation out of current revenues, without laying any additional burden on the tax-payer.

6. In view of the possibility of misunderstanding about the cadres of employees who come within the scope of your enquiry, we submit that employees on "the new scales of pay" include not only those recruited after the 16th July 1931, to cadres in existence before that date, but also employees recruited to any new cadres, brought into existence after that date. In all these new cadres, pay and prospects were determined by the policy underlying the general revision which took effect from the 16th July 1931. The Administration is in agreement with the Federation on this point.

Justification for Personal Allowance

7. The Federation submits that the first and foremost relief to which the men on the new scales of pay are entitled is a *personal* allowance equivalent to the difference between the total remuneration (exclusive of Dearness Allowance and Good Conduct Pay) they are actually receiving and the total remuneration (exclusive of Dearness Allowance and Good Conduct Pay) which they would be receiving had they been appointed to, and given increments in, their cadres on the pre-1931 scales. To this demand, enunciated in the first section of the Federation's Memorandum of the 4th February 1946, the Secretary for Posts and Air has replied on two occasions. On the 7th February 1946, he described the new scales of pay as "unreal" on the floor of the Central Assembly. In his letter No. A. 17-8/46, dated the 4th March 1946, he admitted that the new scales of pay require examination "in view of the changed conditions as a result of the war".

8. It is astonishing; in view of these admissions, that the opposite party contends that the staff may legitimately be expected to await the findings of the proposed Post-War Commission for a formal abolition of the new scales of pay. The excuse that the restoration of the old scales of pay "would involve practical difficulties" or that such a measure would have to be carried out simultaneously for all Central Government servants fails to carry conviction. If the same brand of logic were carried a step further, it could be argued that you, Sir, should not consent to adjudicate the dispute before you on the ground that a similar dispute exists between new scale employees and the employer in all other Central Government services. With regard to the argument that a Commission should be appointed to consider the abolition of the new scales, we submit that the new scales were introduced without benefit of the findings of any Pay Commission, and that the same stroke of the Executive pen may be called into play to abolish them.

9. In deference to the sensibilities of the opposite party on the topics of Abolition and Restoration, the Federation does not press for a *formal* acceptance of its demand on this point, as enunciated in its Memorandum of the 4th February, 1946. We do maintain, however, that the interest of justice cannot and will not be met if our demand for a personal allowance, contained in paragraph 7 above, is not met in full. We submit this demand on the basis of equity and of equity alone, though it is fully justified on many other considerations.

10. The employees of the P. & T. Department have never enjoyed the right of a minimum living wage. Ceaseless agitation for better conditions of existence has marred the entire history of the relations between the employees and the Executives of the service. A general revision of the scales of pay was forced on the Administration in the year 1908

APPENDIX II—*contd.*

Six years later the first World War alone prevented the unrest of the staff from coming to a head. A second revision had to be undertaken shortly after the War. The revision of 1920 satisfied nobody, as is evidenced from para. 258 of the report of the P. & T. Sub-Committee of the Retrenchment Committee, reading as follows:—

> "The revision of pay announced in 1920 failed to keep the staff satisfied for any length of time, and the question of amelioration of the conditions of service of the staff was the subject of constant discussion in the houses of the Legislature. In February 1925 Mr. B. C. Pal moved a resolution in the Legislative Assembly for the appointment of a committee of enquiry. On the Honourable Member for Industries and Labour agreeing to receive a deputation from the staff to represent and discuss their grievances, the consideration of the motion was adjourned ..... As a result of the detailed examination of the question that was undertaken, improvements began to be effected, commencing with the year 1926-27 and continued up to the year 1928-29".

11. From the testimony above, and from further testimony which the Federation will produce before you when oral evidence is taken, it will be seen that the pre-1931 scales of pay were admitted to be inadequate and that, in view of the upward trend in the standards of living which followed the first World war, the time was ripe at the beginning of 1930 for an upward revision of salaries.

12. It was at this stage that the Post-war world depression began. Faced with falling revenues, and aware of rising unemployment, the Government of India sought to meet the financial difficulties which faced them by the unprecedented and immoral measure of introducing a scheme whereby two groups of employees doing exactly the same work would henceforward receive scales of pay and allowance differing throughout the length of service and of pension following service by between 33 to 50 per cent. Government introduced the new scales of pay without regard to any moral principle, without any examination of what at that time constituted the living wage, and in defiance of the demand of equity that equal work should be compensated by equal pay. Government's sole intention was to balance the budget, come weal—come woe, secure in the knowledge that recruits could be obtained at wages far below the level of subsistence, the supply of labour being far in excess of the demand. With the cost of living index at 97, a mere three points below the norm of 100, the new scales of pay were fixed at percentages 33 to 50 points below the old, though it was known and admitted that the old scales in themselves were inadequate.

13. The Federation contends that Government, in imposing the new scales, deprived their employees of the legitimate fruits of their labour to an extent equivalent to the difference between the remuneration they have actually received since the date of their appointment up to the present time, and the remuneration they would have received on the old scales during the same period. The total loss cannot be measured in terms of money alone —grave though the financial aspect undoubtedly is—as can be seen from the examples furnished in Appendix I. Due account must also be taken of the lowered vitality of the employees on the new scales of pay, the reduction in their expectation of life, the reduction in the standards of education and health of their children, and of the fact that they have all been pushed far below the economic level of the social stratum into which they were born.

14. Because of these undeniable facts, the Federation maintains that the first ground and yard-stick of immediate relief is to be found in the very existence of the new scales of pay, and that there is no way of removing this wrong, and of restoring distributive justice, except by the immediate grant of financial relief equivalent to the difference between the new and the old scales of remuneration (less Good Conduct Pay and Dearness Allowance in both cases) on a point to point basis. If it be argued that necessity demanded the imposition of the new scales with effect from the 16th July 1931, the Federation replies that the temporary necessity could have been met throughout the period of the Depression, by the imposition of a uniform, percentage reduction in pay applicable to employees then in service and to employees to be recruited in the future, until such time as the financial crisis was over. Government did in fact introduce a cut in the year 1931 and continued it till March 31st, 1935. During this period old and new entrants shared the financial burden of the depression alike. From the 1st April 1935, however, the entire burden was shifted on to the shoulders of the younger generation of employees (those recruited from the 1st April 1931) to be carried solely by them thereafter. Simultaneously the temporary cut enforced on the staff in employment before July 16th, 1931, was withdrawn. No attempt to defend this travesty on justice has ever been made, or can ever be made, by the Government of India or by the P. & T. Administration.

Justification for Compensatory Allowance

15. The personal allowance advocated in the paragraphs above if granted in full would undo only a part of a great moral and economic wrong. Since 1939 another factor has entered the scene, namely the unprecedented rise in the cost of living. According to the price indices furnished by the Economic Adviser to the Government of India, the price index now stands at 230 for the whole of India as against the figure of 100, which obtained in the week ending 19th August 1939.

APPENDIX H—*contd.*

16. In view of this abnormal situation, the first obligation on Government in its role as employer would be to arrive at a definite and objective conclusion on the question: what constitutes a minimum living wage at the present time? Several enquiries have been made on this issue in the course of the past eight years. One of the most recent and important, from the view point of Post & Telegraph workers, is the report of the Postal Enquiry Committee, published in 1945. The P. & T. Administration has persistently refused to furnish the recognized Unions of the P. & T. Department and the Federation of these Unions with a copy of the Report, presumably because the Government of India are unwilling to give their employees a minimum living wage, even on the facts brought out by their own Officers. The Federation urges you, Sir, to take the notice of this evidence of bad faith on the part of the Administration which, while pretending to desire an impartial adjudication on the immediate relief which P. & T. employees in the new scales should receive, denies to us essential evidence to arrive at a decision on the issue.

17. In the absence of such evidence, the Federation quotes from the conclusion of the Textile Enquiry Committee, appointed to enquire into the wages of mill-workers in Bombay in 1938:—

> "On the whole we believe that we would be justified in placing the minimum expenditure on items other than food and rent between Rs. 15 and Rs. 20 per month. This would give us for a typical family of a husband, wife and two children a range between Rs. 50 and Rs. 55 for Bombay and Rs. 45 and Rs. 50 for Ahmedabad. For Sholapur the range would be about Rs. 3 to Rs. 5. less than for Ahmedabad."

Assuming for purpose of argument that Bombay, Ahmedabad and Sholapur are typical of pre-war A, B, and C Areas, it can be asserted that the minimum wage for a typical employee of the working class in the cheapest towns of India in 1938 was Rs. 40 a month.

18. With regard to middle class families, we attach in Appendix II, a chart from the March, 1945 issue of the bulletin "Nutrition" issued by the Department of Food, Government of India. On the basis of this chart, read together with the Cost of Living figures published in various statistical supplements of the Gazette of the Government of Madras, it would have cost a typical middle-class family, consisting of a husband, a wife and two children a minimum of Rs. 89 for food, clothing and shelter before the war. Assuming that a middle class family in pre-war times required double the amount necessary to a working class family for the other essentials of life, not less than Rs. 30 would be required for such expenditure on the basis of the Textile Enquiry Committee's Report. The Government of India in all their scales of pay assume that the difference between the cost of living in 'B' and 'C' areas does not exceed Rs. 5. The minimum living wage for a typical middle class family, therefore works out to Rs. 89 *plus* 30 *minus* Rs. 5 *i.e.*, Rs. 114 in 'C' areas for the years immediately preceding the war.

19. These minimum wage levels have to be increased in the ratio of 100 to 230 to neutralise the rise in the cost of living since 1939, and they bring the minimum wage for a typical working class family and a typical middle class family in the 'C' areas throughout India to Rs. 92 and Rs. 262 respectively, *cf.* Appendix III.

20. It is in the light of these minimum wage levels that one salient feature of Government's policy of compensation against the increased cost of living has to be examined *cf.* Appendix IV. Government have pointed repeatedly to the fact that the reliefs (Dearness allowance and Good Conduct Pay) which they have granted to the staff in the lowest wage brackets represent a percentage increase over the pre-war rate of pay approximating to the percentage increase in the present price index over the August 1939 figure of 100. This specious argument completely ignores the fact that the staff of the working and the middle classes in the lowest wage brackets on the new scales of pay, were receiving prior to the war wages far below the minimum required to maintain themselves and their families at the level of their respective social strata. Instead of pointing with satisfaction to the fact that an employee of the so-called "inferior grade" received Rs. 15 a month in 1939 and will be receiving an additional sum of Rs. 26 in Dearness Allowance and Good Conduct Pay, as a result of the latest increases, sanctioned, which represent compensation in excess of the increase in the price ratio since 1939, Government may legitimately be charged with the ruthless exploitation of each and every inferior employee to whom it gave a salary of less than Rs. 40 in pre-war times.

21. The Federation, after having taken all these factors into consideration, and after making due allowance for the fact that even the lowest paid employee must expect a depression in his standard of life as a result of the war, has arrived at the following formula for compensating the staff against the rise in the cost of living:—

(*a*) Compensation for the rise in the cost of living should be directly linked to the fluctuations in the price indices, furnished by the Economic Adviser to the Government of India, the basis being the figure for the week ending August 19, 1939, when the price index stood at 100 and prices were normal.

APPENDIX II—*contd.*

(*b*) A compensation of Rs. 5 should be sanctioned to employees drawing less than Rs. 55 per month for every increase of 10 points in the price index above the figure of 100.

(*c*) A compensation of Rs. 7 should be sanctioned to employees drawing Rs. 35 and above for every increase of 10 points in the price index above the figure of 100.

(*d*) The upper limit of salary to which the compensation is extended should be Rs. 100 for the first increase of 10 points above the normal price level, and it should be increased by Rs. 75 for each additional increase of 10 points above the normal price level, as indicated in the table below:—

Sliding scale of compensation allowance against rise in the cost of living

Price Index	Salary below Rs. 35 per month	Rs. 35 per month & above	Salary limit to which applicable
100	...	...	...
110	3 0	7 0	100
120	6 0	14 0	175
130	9 0	21 0	250
180	24 0	56 0	625
190	27 0	63 0	700
200	30 0	70 0	775
210	33 0	77 0	850
230	39 0	91 0	1,000
240	42 0	98 0	1,075

(*e*) The compensation should be revised every six months on the basis of the average price index of the preceding six months.

(*f*) Basic salary alone should be taken into account in calculating the limits to which the compensation is applicable; house rent allowance, pie money and overtime earnings being ignored.

22. The compensation in the Table above should be granted as a uniform minimum to all employees throughout India, the distinctions between "A", "B" and "C" areas being ignored and special provision being made for places such as Presidency towns, industrial districts, etc., in which the cost of living has arisen abnormally relative to the average rise throughout the country.

23. An examination of the figures above will show that if the Federation's demands for a Personal allowance and a Compensatory allowance are granted in full, the total interim relief sanctioned would still fall short in a large number of cases of the minimum living wage needed for a typical working class, and a typical middle class family, on the basis of the Textile Enquiry Committee's Report and the Chart published by the Food Department of the Government of India in terms of present-day prices. We trust that this fact will convice you, Sir, of the extreme moderation of our demands and of the sincerity of our contention that they have not been put forward in a spirit of bargaining but as the irreducible minimum which the merits of the case justify.

24. In this connection, the question may be asked: How have the staff managed to survive during the past six years, in view of the vast discrepancy between the reliefs actually granted to them and the reliefs necessary on the basis of the facts we have presented? The answer is this. The staff have survived only at the cost,

(*a*) of sinking rapidly from one socio-economic level to several levels below—the middle class employee of today lives on a standard inferior to that of the working class employee of yesterday, and the working class employee of yesterday lives on a sub-human standard today.

(*b*) of the forced sale of ancestral property, the pawning of valuables, the withdrawal of children from school, and an ever-increasing load of debt. In the Madras Presidency alone, to take but one example, the staff are indebted to their P. & T. Co-operative Banks to the extent of over 5 million rupees. To meet the incessant demand for loans, the Banks have secured a relaxation of the rule limiting the maximum amount of a loan to five times the monthly substantive pay to a maximum of six and then to eight times the monthly pay. But the P. & T. Banks are only the staff's first line of defence on the loan front. Nearly all the employees on the new scales are indebted to private money-lenders to an extent for exceeding their indebtedness to the P. & T. Banks.

This desperate situation is almost beyond remedy. The Federation earnestly recommends that it be met in part by the sanction of the personal allowance advocated earlier in this Memorandum with effect from the 1st April, 1944.

III. Government's Financial Capacity to meet the Federation's demands

25. The financial policy of Government with regard to the Posts and Telegraphs was stated in the following terms on the floor of the Assembly in 1924 :—

> "I entirely agree with Mr. Neogy in considering that the Post Office should be looked upon as a public utility service. But in the same way as the Railways and any other organizations which are for the benefit of the general public and are looked upon as public utility services should at the same time pay their way, I consider that the P. & T. Department should pay its way and I have the authority of my Honourable colleague, the Finance Member in saying that the Government do not look to the P. & T. Department as a revenue earning Department."

26. This policy has repeatedly been put forward since 1924 to justify reductions in the pay and the allowances of the staff, or to deny them over-due increases in the same. To take one example, when all Central Government servants were subjected to a temporary reduction in 1931, staff drawing below Rs. 30 a month were exempted from this reduction except in the P. & T. Department. In the P. & T. Department even the lowest-paid were reduced in salary by a half anna in each rupee. The Director-General's Circular letter No. 36, dated 21st December 1931 is revealing :—

> "In this Department the expenditure must be as nearly as possible in economic relation to the receipts. It has therefore not been possible to extend to the lower paid staff of this Department the same immunity from the cut which has been extended to other departments."

27. The same Administration jettisoned this policy unashamedly from the year 1939 onwards, when the P. & T. Department began to make large profits, the excuse being offered of the necessity of a contribution to the War effort. The same policy continues today, presumably as a contribution to the Post-war effort. So far as the P. & T. Administration is concerned, it is clearly a brazen "Heads I win, tails you lose" policy all along the line. We append below the profits earned by the P. & T. Department from 1939 onwards :—

Year	Profits
1938-39	18,98,000
1939-40	89,59,000
1940-41	1,24,80,000
1941-42	3,40,63,000
1942-43	4,51,69,000
1943-44	9,02,57,000
1944-45	10,24,65,000
1945-46	[Estimated above 10 crores.]

28. The Secretary for Posts & Air in his letter No. A-17-A/46 dated the 4th March 1946 expresses confidence that the staff will consider themselves to be justly treated because from April 1, 1946 "they will be receiving on a salary bill of eight and half crores allowances of the total amount of over five crores." The subordinate staff of the Department are

APPENDIX II—*contd.*

unable to appreciate the logic of Officers in high places, who appear to think that a waving of high figures in the faces of the impoverished will blind them to the fact that the huge profits of the Department have been earned, and continue to be earned, at the cost of the severest reduction in real wages they have experienced in their entire life, and who have suffered a measure of economic and social misery which increases from year to year in proportion to the increasing profits of the Administration.

29. The employees, on whose behalf we plead, look to you, Sir, as their last hope against an Administration in whom they have lost all confidence. If the demands put forward by the Federation are accepted in full, the increased cost to Government will be far below the profits earned in the year 1945-46, profits which are expected to increase in the year 1946-47, on the testimony presented by the Secretary for Posts & Air in the Central Assembly on the 30th March 1946. There can be no question therefore, of the Government's capacity to meet the Federation's demands without the imposition of any burden on the tax-payer, and of Government's moral obligation to do so in the light of the financial policy enunciated in the year 1924. This capacity to meet the Federation's demands, and the moral obligation of the employer to pay his employee a living wage constitute, in our opinion, the final and unanswerable arguments for the sanction of our demands in full.

30. The Federation, therefore, prays Sir, that you will be pleased to order the award of the following interim reliefs to the staff on the new scales of pay, pending the findings of Post-war Salaries Commission:—

1. (*a*) A Personal Allowance equivalent to the difference in the remuneration (excluding Dearness Allowance and Good Conduct Pay), which the staff are now receiving and which they would be receiving had they been recruited and granted increments in the corresponding old scales of pay, such allowance to be paid with effect from April 1, 1944.

(*b*) A Personal Allowance proportionate to the average allowance above, to those employees serving in cadres which were introduced after the year 1931, such allowance to be paid with effect from April 1, 1944.

2. A Compensatory Allowance based upon, and linked to, fluctuations in the cost of living on the scale set down in the Table in para 21 above, such allowances to be paid from April 1, 1946.

APPENDIX I

Losses sustained in remuneration year by year by the new entrants in the lowest paid superior and inferior cadres compared to the old scales in "C" Areas

I Superior (Clerical)

Year of Service	Old Scale Rs. 35—5—135	New Scale Rs. 35—3—80	Losses per annum
1st	35	35	..
2nd	40	38	24
3rd	45	41	48
4th	50	44	72
5th	55	47	96
6th	60	50	120
7th	65	53	144
8th	70	56	168
9th	75	59	192
10th	80	62	216
11th	85	65	240
12th	90	68	264
13th	95	71	288
14th	100	74	312
15th	105	77	336
16th	110	80	360
		Total	Rs. 2,880

APPENDIX II—*contd.*

II—INFERIOR (MESSENGERS ETC.).

	Rs. 14—½—19	Rs. 14—1/5—16	
1st	14 0 0	14	..
2nd	14 8 0	14	6
3rd	15 0 0	14	12
4th	15 8 0	14	18
5th	16 0 0	14	24
6th	16 8 0	15	18
7th	17 0 0	15	24
8th	17 8 0	15	30
9th	18 0 0	15	36
10th	18 8 0	15	42
11th	19 0 0	16	36
12th	19 0 0	16	36
13th	19 0 0	16	36
14th	19 0 0	16	36
15th	19 0 0	16	36
16th	19 0 0	16	36
		Total	Rs. 426

APPENDIX II

What you should eat
VEGETABLES
Leafy Vegetables 3 to 4 ozs.
and
Non-leafy Vegetables 4 to 6 ozs.
CEREALS
Wheat 10 ozs.
or
Wheat 6 ozs. i.e.
Rice 6 ozs.
or
Rice 10 ozs.
5 ozs of Jowar, Bajra or Ragi.
FRUITS
One Orange, or one Banana, or one Apple
If fruits cannot be taken, take extra 2 ozs of vegetables.
Your daily diet should have
PULSES
Any variety 2 to 3 ozs.
ANIMAL PRODUCTS
Milk 6 ozs.
Eggs 2 a day.
Meat 2 ozs.
Ghee, Fat or oil 2 ozs
IF MEAT AND EGGS CANNOT BE TAKEN
TAKE MILK 12 OZS. OR EVEN MORE.

Reproduced from "Nutrition" Bulletin No. I published by the Food Rationing Adviser to the Government of India, Department of Food.

APPENDIX II—*contd.*

APPENDIX III

Budget of a typical middle class employee with a wife and two children, for food, clothing and shelter alone in a 'C' area before and after the war.

Items of expenditure.	Quantity per head per day.	Total Quantity for family per day.	Cost	
			Before 1939 Cost of Living Index 100.	In December 1945 Cost of Living Index 224.
Food —				
Dhall	2 to 3 oz.	9 oz.	0 0 11	0 1 9
Cereals: Rice	10 oz.	30 oz.	0 2 2	0 4 3
Jawar, Bajra, Ragi	3 oz.	9 oz.	0 0 5	0 1 0
Vegetable Leafy and Non-leafy	9 oz.	27 oz.	0 1 10	0 8 0
Fruits 1 Orange or 1 Apple and 4 Bannanas.	3 units.		0 4 0	0 10 6
Animal products: Milk	8 oz.	24 oz.	0 6 5	0 9 0
2 eggs., meat 2 oz., ghee fat or oil 2 oz. or Milk.	12 oz.	36 oz.	0 9 8	0 13 6
Extra Milk for tea & coffee, sugar, tea, coffee, spices, condiments, tamarind, chillies etc.	..	..	0 4 6	1 6 5
Total			1 13 11	4 6 5
Total per month	..	..	56 1 6	132 0 6
Fuel and Lighting (per month):—				
Fire-wood 336 lbs.	..	..	1 14 0	3 15 0
Charcoal 20 lbs.	..	..	0 7 7	2 6 0
Lighting	..	..	1 8 0	12 0
Total	..	..	3 13 7	8 1 0
Clothing per month	..	..	7 2 0	18 11 0
House Rent per month	..	..	12 0 0	18 0 0
Miscellaneous incidental to items:—				
1 to 4 (*a*) Washing Dhobi, etc.	..	..	2 8 0	6 8 0
(*b*) Scavenging, sweeping, etc.	..	..	3 8 0	7 8 0
(*c*) Other items, shoes, sandals, umbrellas, etc., etc.	..	..	4 4 0	14 1 0
			10 4 0	28 1 0
Grand Total	..	..	89 5 1	204 13 6

APPENDIX II—*contd.*

Explanatory Notes

Item Food : In regard to animal products 12 oz. of milk is computed to be equivalent in physiological value to 2 eggs, 2 oz. meat and 2 oz. ghee, fat or oil. The cost of 36 oz. of milk was calculated in the family budget for convenience of treatment only, but actually the total cost in respect of the several items will be much higher.

Items Omitted

Expenditure on furniture, utensils, education of children, medical expenses, recreation, subscription to journals, clubs and trade unions, travelling expenses, religious obligations, mariages, taxes, professional service, etc., payment on loans, etc.

APPENDIX II—*contd.*

APPENDIX IV

I. Cost of Living Indices for the working class compiled on the basis of Government Reports.

(August 1939 Base = 100)

		Bombay	Ahmedabad	Sholapur	Cawnpore	Nagpur	Jubbulpore	Lahore	Madras
Average	1939	104	108	106	106	105	109	113	107
	1940 . . .	107	108	104	111	110	116	108	109
	1941	118	118	115	122	119	139	121	114
	1942	149	156	155	180	165	182	172	136
	1943	219	282	252	306	299	299	282	180
	1944	226	290	276	314	266	317	281	206
	1945	224	274	275	308	242	283	291	227
Decr.	1945	230	274	279	310	272	286	293	229

APPENDIX II—*contd.*

APPENDIX IV—contd.

II. Statement showing the amount of Dearness Allowance and Good Conduct pay granted from 1-8-42 to 1-4-46 inclusive to neutralize the rise in the cost of living

1	2	3	4	5	6	7	8	9
Periods for which Dearness Allowance and Good Conduct Pay were sanctioned	Dates from, and to which the rates were applicable	Area	Pay limits to which Dearness Allowance and Good Conduct Pay were applicable	Rates of Dearness Allowance	Good Conduct Pay	Total	Variations in cost of living indices	Remarks
			Rs.	Rs.	Rs.	Rs.		
5 months	1-8-42 to 31-12-42.	A	Up to 39	6	...	6	136 to 182	
		„	Above 39 to 100	9	...	9		
		B	Upto 39	5	...	5		
		„	Above 39 to 80	7	...	7		
		C	Upto 39	4	...	4		
		„	Above 39 to 60	6	...	6		
5 months	1-1-43 to 31-5-43.	A	Below 40	7	2	9	180 to 306	From 1-1-43 Good Conduct Pay of Rs. 2 was sanctioned for officials drawing upto Rs. 40.
		„	40 to 120	10	...	10		
		B	Below 40	6/8	2	8/8		
		„	40 to 100	9	...	9		
		C	Below 40	5	2	7		
		„	40 to 70	7/8	...	7/8		
9 months	1-6-43 to 29-2-44.	A	Below 40	11	2	13	206 to 314	
		„	40 to 150	14	...	14		
		B	Below 40	8/8	2	10/8		
		„	40 to 125	11	...	11		
		C	Below 40	6/8	2	8/8		
		„	40 to 90	9	...	9		

1	2	3	4	5	6	7	8	9
6 months . . .	1-3-44 to 31-12-44.	A	Below 40 .	14	2	16	263 to 314	
		„	40 to 250 .	18	...	18		
		B	Below 40 .	11	2	13		
		„	40 to 200 .	14	...	14		
		C	Below 40 .	9	2	11		
		„	40 to 150 .	12	...	12		
7 months . . .	1-1-45 to 31-3-46.	A	Below 40 .	20	7	27	225 to 310	Dearness allowance for employees drawing above rupees 40 is 17½% of pay subject to minima of Rs. 22, 18 and 16 in A, B and C areas. Good Conduct Pay is admissible only upto the pay limit of Rs. 120.
		„	40 to 250 .	22	5	27		
		B	Below 40 .	16	7	23		
		„	40 to 200 .	18	5	23		
		C	Below 40 .	14	7	21		
		„	40 to 150 .	16	5	21		
	From 1-4-46	A	Below 40 .	20	12	32	225 to 310	Dearness allowance same as for previous period. Good Conduct Pay raised from Rs. 7 to Rs. 12 for employees drawing below Rs. 40 and from Rs. 5 to Rs. 10 for employees drawing above Rs. 40 upto Rs. 160.
		„	40 to 250 .	22	10	32		
		B	Below 40 .	16	12	28		
		„	40 to 200 .	18	10	28		
		C	Below 40 .	14	12	26		
		„	40 to 150 .	16	10	26		

APPENDIX II—*contd.*

THE UNION OF POSTS, TELEGRAPHS & R. M. S. (INDIA)

LETTER NO. AI/58-E, DATED THE 9TH APRIL, 1946, FROM B. S. KAMBLE, ESQ., B.A., GENERAL SECRETARY, THE UNION OF POSTS, TELEGRAPHS & R. M. S. (INDIA), DELHI, (ALL-INDIA POSTAL & R. M. S. UNION),

To MR. JUSTICE G. S. RAJADHYAKSHA, I.C.S., OFFICE OF THE ADJUDICATOR (POSTAL DISPUTE), ROOM NO. 105, 'M' BLOCK HUTMENTS, CHURCH ROAD, NEW DELHI.

(Statements 1, 6, 8 and 9 have not been reproduced)

Sir,

I have the honour to acknowledge receipt of the Memorandum No. LR-2(30), dated the 16th March, 1946, from the Secretary, Government of India, Department of Labour. To facilitate the disposal of the question under consideration, I beg to give below the statement comprising the points on which further relief is considered necessary for the New Entrants in the Posts & Telegraphs Department.

Allow me to say, Sir, at the outset that on your decision depends the future of the low paid staff of the Posts & Telegraphs Department. Officials who were suffering great hardships and privations due to the inadequacy of the scales of pay, had reached the starvation level, when the cost of living abnormally shot up during and after the period of War.

It will be desirable to state briefly at this stage the position of the scales of pay obtaining in this Department (Statement No. 1). Prior to 1920, the scales of pay were based on graded system. The scales of pay were miserably poor, and fell far short of a living wage. There was no even flow of promotion and the employees had to remain blocked on the maximum of each grade for a long time. There was very great agitation throughout the length and breadth of India, so far as this Department was concerned, and the Postal Officials who formed a union of the Non-gazetted staff of this Department claimed that their scales of pay should be revised sufficient for the maintenance of a family and with due consideration of their arduous service conditions.

The scales of pay claimed in 1920 are given below :—

	Rs.
A. *Clerical and Sorting staff*	
1. Scale of pay for Graduates	80—5—100—10—200
2. Scale of pay for F. A., I. A., I.Scs	70—5—100—10—200
3. Scale of pay for others	60—5—100—10—200
4. Pay of Inspectors' Cadre	200—20—300
B. *For Service other than Clerks and Sorters*	
For Bengal and Assam Circle—	
1. Pay of Postmen in Calcutta, Alipore and Howrah	30—2—80
2. Pay of Sorting Postmen and Overseer Postmen.	80—5—200
For places in Bengal and Assam outside Calcutta, Alipore and Howrah and for other Circles—	
1. Departmental Branch Postmasters, Overseers and Mail-Guards	40—2—60
2. Postmen	30—1—50
3. All classes of menials except Boy Messengers	20—½—30
4. Boy Messengers	12—½—18
For Madras and Bombay Circles—	
1. Postmen	40—1½—70
2. Menials	25—½—30
3. Overseer Postmen, Sorting Postmen, Head Postmen and Cash Overseers	80—1—100 (Rs. 15 duty allowance)

As per recommendations of the "Haseltine Committee" appointed by the Government of India in 1920, the Time Scale of pay was introduced in this Department. The scales of pay fixed under the Time Scale were quite unsatisfactory and did not afford adequate relief to the low paid staff.

Even though the Union persistently expressed its dissatisfaction at the scales of pay sanctioned, the Government did not give sympathetic considerations to further revise the scales of pay.

After great deal of agitation inside and outside the Legislature, the Government revised the scales of pay in 1927. Eminent members of the public like Messrs. G. S. Khaperde, V. J. Patel, N. C. Kelkar, M. A. Jinnah, N. M. Joshi supported the demands

APPENDIX II—*contd.*

put forth by the Postal employees. This revision was sp read over a period of three years. The scales of pay of the Postmen and the Lower Grade Staff were revised with effect from 1st January 1928.

The Posts & Telegraphs Sub-committee of the Retrenchment Committee says the following in its Report, para. 258:—

> "The revision of pay announced in 1920, failed to keep the staff satisfied for any length of time and the question of amelioration of conditions of service of the staff were the subject of constant discussion in the houses of legislature. In February 1925, Mr. B. C. Pal moved a resolution in the Legislative Assembly for the appointment of a Committee of Enquiry into the grievances of the Postal staff. On the Hon'ble Member for Industries and Labour agreeing to receive a deputation from the staff to represent and discuss their grievances, the consideration of the motion was adjourned. A deputation of the All India Postal and R. M. S. Union waited on the Hon'ble Member-in-Charge of Industries & Labour and the Director-General, Posts & Telegraphs, in March, 1925, represented a large number of grievances. As a result of the detailed examination of the question that was undeterken improvements began to be effected commencing with the year 1926-27 and continued upto the year 1928-29".

These revised scales of pay were also not commensurate with either the high cost of living or with the nature of work done and the responsibilities involved with the result that the staff remained completely dissatisfied.

The period of 1930 onwards marked the ebb tide of the Department. In the wake of trade depression, the Department was running at a loss. As it was considered to be the commercial Department, the principle of 'Demand and Supply' was brought to bear on its administration. To make it self-supporting, an emergency cut in the salaries of the staff was, therefore, applied on the following basis:—

Where the pay or leave salary	*The amount to be deducted*
(*a*) Does not exceed Rs. 30 p.m.	½ anna for every complete Rupee.
(*b*) Exceeds Rs. 30 p.m. but does not exceed Rs. 83-5-4,	1 anna for every complete Rupee.
(*c*) Exceeds Rs. 83-5-4	10% of the pay.

The Director-General in a Circular letter No. 36, dated 21-12-1931 observed thus, "In this Department the expenditure must be as nearly as possible in economic relation with the receipt. It has, therefore, not been possible to extend to the Lower paid staff of this Department the same immunities from the cuts which have been extended to the other Departments". It is to be noted that this cut was applied to all officials of this Department whose pay did not exceed Rs. 30 p.m. whereas in other Government Departments such employees were exempt from the cut.

Further, to reduce the expenditure of the Department, the Government decided to reduce the scales of pay with effect from 16-7-1931. The Government of India appointed a Retrenchment Committee in 1931. The Posts & Telegraphs Sub-Committee of that Advisory Committee headed by Sir Cowasjee Jehangir recommended the employment of clerks in a Lower Division as a retrenchment measure. This was the thin end of the wedge of creation of the Second Grade Clerical cadre in this Department. In their interim report they observed:—

> "Our proposals are based entirely on a suitable discrimination between different kinds of work based *on the degree of responsibility involved and of intelligence required*. Witnesses competent to advise us in this important matter have produced statistics which tend to show that as much as 43% of the Time Scale appointments could be converted. We want, however, to be conservative and place our estimate at 33% of the entire cadre in the Department".

They further observed:—

> "In the Department as a whole there is a large mass of work which does not require intelligence of a very high order and that there should be no difficulty in devising criteria for discriminating between work involving higher responsibilities and greater intelligence from that of a routine and mechanical nature".

The Committee said further:—

> "We are of opinion, therefore, that if direct recruitment from the open market is resorted to, a considerable proportion of the present clerical establishment drawing Time Scale of pay could be replaced by cheaper agency *without any detriment to the efficiency of the work*".

APPENDIX II—*contd.*

The Committee had remarked :—

" We consider that the clerical cadre of the Branch (Postal) should be divided into 2 Divisions. One should be a Lower Division to provide for work of a routine nature or such as involves ordinary responsibility which a clerk of the lowest rank and status can reasonably be expected to undertake simultaneously there should be an Upper Division of clerks to provide for work of a more difficult or responsible character. As recommended elsewhere the Lower Division of clerks should consist of men obtained partly by direct recruitment from the open market of men with minimum educational qualifications of having secured a pass in the matriculation examination and partly from among postmen and men of corresponding status *i.e.* of all ranks below that of Lower Division Clerks. Similarly the Upper Division should be recruited partly by promotion of men from the Lower Division and partly by recruitment from the open market. For direct recruitment we suggest that a pass in the Intermediate Examination of an Indian University or any other examination recognised to be equivalent thereto should be the minimum qualification. The promotion of Lower Division Clerks to the Upper Division should be made on the suitable test regulated under departmental rules. In our opinion a maximum of 50% of the appointments vacant in the Upper Division may be recruited from amongst men in the Lower Division. "

The talk of discrimination of the work in Post Office, as routine and intelligent (consequent on which there was the bifurcation of the clerical cadre as Lower Division and Upper Division) evaporated into the air on the following recommendations of the Pasricha Committee, 1935.

" The recruitment of the Lower Division cadre is partly by promotion from the postmen grade and partly from the open market. The latter source has secured us recruits with a good qualifications as of the permanent employees in the Upper Division cadre. Restrictions were at first placed on the class of work that could be entrusted to the Lower Division Clerks, but it was found that these restrictions were leading to administrative difficulties and they had to be relaxed. Postmasters-General are now authorised to exercise a good deal of discretion in the matter of duties which may be allotted to Lower Division Clerks. In actual practice we have found that the Lower Division Clerks recruited from the open market and equipped with as good educational qualifications as the Upper Division Clerks are performing equally responsible duties. We are, therefore, of the opinion that such recruits should be freely employed on all duties performed by the better paid Upper Division Clerks".

Greatest injustice was thus done to the New Entrants. The bifurcation of the clerica cadre was made on the distinct understanding that there was a line of demarkation between the duties to be performed by the First Grade and Second Grade Clerks. This was however done away with. The Government, for administrative reasons, by a stroke of pen declared quite to the contrary of the abovesaid principle that duties of the First Grade and Second Grade were interchangeable. This amounted to nothing but fraud on the Post Office officials inasmuch as, without removing the invidious distinction in the scales of pay of the First Grade and Second Grade clerks, the nature of work to be performed by officials of both the grades was ordered to be the same. The Government took advantage of the situation then obtaining in the country namely the un-employment of the educated classes.

It is to be specially noted that the revision of 1927 was also inadequate. The Government were aware of it as would be seen from the following statement made by them while obtaining the sanction of the Standing Finance Committee :—

" It might be necessary later on to raise at some stations the maximum rates of pay now proposed ".

What miserable plight the officials must have been reduced to, on the reduction of the already inadequate scales of pay, can be better imagined than described. Even though the new scales of pay were actually introduced on 1-4-35, retrospective effect was given to them from 16-7-1931. The net loss sustained by the New Entrants is given *vide* Statement No. 2.

Special enquiries were undertaken whenever a revision of scale of pay was sought for. When, however, the scales were reduced in 1935, no enquiries were made. It will be worth mentioning that the cost of living index was 97 when the new scales of pay were introduced.

It will thus be seen that reduction in the scales of pay of the P. & T. staff and consequen creation of the Second Grade or introduction of the New Scales of pay without discrimination of the duties to be performed, was a flagrant breach of the canons of justice and fair pay.

APPENDIX II—*contd.*

Working conditions

The working conditions of the Postal employees are quite different from those in other Government Departments. Following opinion has been recorded in its Report by the Postal Enquiry Committee of 1920 :—

> " Moreover, the conditions of service of Postal clerks differ very much from those of the ordinary clerks in the Government office. Their hours of work are longer and much more irregular beginning in some cases at 5 A.M. and ending at 10 P.M. They get no holidays to speak of and have considerable pecuniary responsibilities ".

As regards conditions of service in the R. M. S., the same Committee remarked as follows :—

> " On the other hand, it has been pointed out that the duties of sorters of the R.M.S. entail almost incessant travelling, frequent absence from home, the additional expenditure incidental thereto for which the travelling allowance is not granted and work under trying physical conditions ".

This view has been confirmed by the meeting at Simla of the following officers convened to discuss certain matters in connection with the pay of clerical and menial establishments :—

Mr. D. Dewar, I.C.S., Controller and Auditor-General.
Mr. C. H. Halifax, I.C.S., Reforms Commissioner, Punjab.
Mr. B. N. Mitra, Financial Adviser.
Colonel Baker, Military Accountant-General.
Mr. Patch, Accountant-General, Punjab.
Mr. Gibson, I.C.S., Financial Secretary to the Government of Punjab.
Mr. Hutchinson, I.C.S., P. M. G., Punjab.
Mr. Goyder, Chief Auditor, North Western Railway ; and
Mr. Smart, Deputy Accountant-General, Railways.

They remarked :—

> " On the other hand in the Postal Department the clerical service is unpopular and its duties are harder than those of ordinary clerical establishment ".

Further testimony to this view has been given by the observations of Mr. (now Sir) G. V. Bewoor. He says in para 19 of his Report on the revision of the Time Test :—

> " It is necessary to point out here the peculiar conditions of work in Post Offices as distinct from the conditions of work in other offices. In an ordinary administrative office if the staff cannot finish the days work, the unfinished work is left over for the next day. If the staff is really inadequate arrears accumulate and attention is pointedly drawn to the inadequacy of the staff when the accumulation of arrears become serious. In the Post Office the accumulation of arrears to any extent is not possible. The day's mail must be delivered the same day and despatched the same day. The accounts and abstracts must be adjusted the same day and returns to audit office must be sent on the due dates. The staff of Post Office cannot leave office unless all this work is completed. If the staff is inadequate it must work beyond the fixed hours of duty and late into the night to finish the work. The other alternative is to ignore the rules and get through the work somehow or other but this latter method is likely to result in losses and mistakes, resulting in punishments and recovery of losses from the staff. The fact that the work in Post Offices is now being carried on by the staff sanctioned is not, therefore, a conclusive evidence that it is adequate ".

The duties of Postmen and inferior servants like packers, mailpeons, runners etc. are very exacting. Those not only involve physical labour but also monetary responsibilities. Honesty of these officials is proverbial.

The following remarks of the Postal Enquiry Committee 1920 bear testimony to what has been stated above :—

> " The postman is drawn from a class distinctly superior to that of the ordinary menial. The postman to be qualified for his work must have some knowledge of the script of at least two languages, one being English ; that his duties involve considerable pecuniary responsibilities, he is in fact in a small way a cashier, valuables and cash are entrusted to him, he has to render a daily account, to furnish security and to make good losses. That he is or ought to be a much better man than the ordinary Chaprasi. Mailpeon, Messenger or Packer is recognised by the status—that of a superior servant under the leave and pension rules—which has been conferred upon him. The efficiency of the Postal Service very largely depends upon the Postman ".

APPENDIX II—*contd.*

The Standing Finance Committee has spoken highly of their work. In the opinion of that Committee, "The Postmen really are a sort of inferior clerks having regard to the qualifications and other monetary responsibilities". Sir Geoffrey Clarke in his book on Post Office in India at page 104 has observed "Good initial salary with prospects of promotion must be given to him".

In view of the above and the peculiar and exacting conditions of service and the continuous strain the officials are required to work under, the scales of pay of the other Government Departments cannot be considered as a criterion for fixing the scales of pay of the Postal Employees who stand on a different footing altogether.

Moreover the Post Office officials have been performing 20·9, 21·8 and 25·7 years of duty more than the other Government Department officials as shown *vide* Statement No. 3. Thus it will be seen that the scales of pay sanctioned for the New Entrants are not at all commensurate with the nature and volume and responsibility of work they are called upon to do. The Department tried to abolish the distinction made between the clerical cadre as First Grade and Second Grade only in August, 1945. They have, however, merely abolished the names as First Grade and Second Grade retaining the invidious distinction between their scale of pay. The continuous scale then introduced has affected the New Entrants adversely for it has been introduced at a time when without it the New Entrants would have stood to gain. The following calculations will show the net loss sustained by the officials in the New Grade or by the New Entrants:—

(After 15 years of service when an official stood the chance of being promoted to the First Grade and when he will be drawing Rs. 79 as his pay in a 'B' Grade Station in the scale of 40—40—3—85—95—4—115).

For the 1st year	95—79=16×12=192
For the 2nd year	99—82=17×12=204
For the 3rd year	103—85=18×12=216
For the 4th year	107—90=17×12=204
For the 5th year	111—95=15×12=180
For the 6th year	115—100=15×12=180
For the 7th year	115—105=10×12=120
For the 8th year	115—110=5×12=60
	Rs. 1,356

Weeding out all possibilities that an official might get accelerated promotion from Rs. 79 to Rs. 95 still he stands to lose as shown below. After reaching the stage of Rs. 85 according to the then scale, he will get Rs. 95 and according to the continuous scale he will get Rs. 90.

1st year	95—90=5×12=60
2nd year	99—95=4×12=48
3rd year	103—100=3×12=36
4th year	107—105=2×12=24
5th year	111—110=1×12=12
6th year	115—115 Nil
	Rs. 180

There are other disabilities under which our staff has had to work, which should receive your special attention. The officials under the Militarisation Scheme working in Post, R. M. S., Telegraph Offices to the East of Brahmaputra were paid only 25% of their pay as Compensatory Allowance as against 50% paid to the Railway Military Units. Special Compensatory Allowance which should have been granted to all offices falling in the Indo-Burma line and the Chittagong Front area, was granted only to a few offices, with the result that a large number of the staff though exposed to the same War risks and was legitimately entitled to the allowance, was put to great pecuniary hardship.

The introduction of the New Scales of Pay and its application had created peculiar anomalies which affected the New Entrants adversely.

At the time of the introduction of the continuous scale the Lower Division Clerks were given Old Upper Division Scale of pay but the officials who were held up at their maximum of the Lower Division Scale for as long a period as seven years, were not given any relief by way of advance increments in view of the financial loss sustained by them. Before the receipt of these orders there was a large number of clerks officiating even for years in

APPENDIX II—*contd.*

temporary or clear vacancies in the old scale. They were recruited and approved for permanent employment in the Department. They were, however, not confirmed prior to the date of receipt of the orders due to ignorance and apathy of the officers. They were, therefore, demoted without any fault of theirs and were confirmed in the New Scales of pay. Only in the Calcutta G. P. O. there have been as many as 62 officials who have greatly suffered on such account.

The Government of India introduced the Unified Scale of Pay from 1st September 1944. These scales were introduced according to the Government as a War-time measure as great difficulty was being experienced in the recruitment of candidates. It was an irony of fate so far as this Department was concerned that they were introduced when the war was over. In the application of that scale the following glaring anomalies existed :—

1. It was not allowed to all officials but only to officials at the 24 places in India.
2. 'A' and 'B' Grades of that scale were not made applicable to the Post Office officials even when they were made applicable to other Central Government officials at the same place.
3. The officials who had put in more years of service were not given the proportionate benefit.

This resulted in an anamolous position as under :—

From 1st April 1946 a Clerk—New Entrant—in say Calcutta G. P. O. with 12 years service will get :—

	Rs.
Pay	75
Good Conduct Pay	10
Dearness Allowance	22
	107

A Clerk—New Entrant—with 4 years service (getting benefit of Unified Scales of pay) in Calcutta G. P. O. will get :—

	Rs.
Pay	75
Good Conduct Pay	10
Dearness Allowance	22
	107

The unions have all along maintained that the expenditure incurred by the New Entrants is much more than the total emoluments they get from the Government by way of pay and allowance. The Family Budgets attached *vide* Statement No. 4 will bear testimony to the fact. With the advancing age of the officials their needs grow and if the total earnings fall far short of the requirements they are involved in higher debts. Most of the New Entrants would be found highly indebted. They have been borrowing from the Co-operative Societies. Whatever landed property they had, has been sold away by them to meet the daily wants. Little savings by way of ornaments and so forth or the presents the officials got, had been sold away by them to make both ends meet.

On comparison of the New Scales of Pay in this Department with those in other Governments and Semi-Government Offices, it is found that the percentage of reduction of the scales of pay in this Department is greater than that in other Government Departments as would be seen from Statement No. 5.

The living wage may, therefore, be fixed with reference to the following points :—

1. To enable an official to maintain himself and his family in a decent manner.
2. With due consideration of the strenuous nature of work and the monetary responsibilities involved.
3. Growing needs with advancing age—Religious ceremonies, social functions, education of children etc.
4. Consideration of the standard of living of the class of officials in the P. & T. service looking to their academical qualifications.
5. Raising of the standard of living of a worker.

House Rent Allowance

The scarcity of houses in all the cities is a matter of common knowldge. To get the housing accommodation became a problem for all and sundry. The rents claimed were too exorbitant and beyond the paying capacity of men of mediocre living. War added considerably to the acuteness of the housing problem People had to pay 30 to 50% of their pay towards house-rents. This told heavily on the slender income of the New Entrants. Majority of the New Entrants do not get any house-rent allowance.

APPENDIX II—*contd.*

Dearness Allowance

The Dearness Allowance granted to the New Entrants is very meagre and not at all commensurate with the high cost of living. The principles on which compensation should be awarded due to increase in the cost of living have been accepted by several authorities in Great Britain and followed by conciliation boards, adjudicators, courts of enquiry and other authorities in India, *viz.*,

1. The Railway Court of Enquiry.
2. Rangnekar Conciliation Board.
3. Madgaonkar Conciliation Boards.
4. Adjudication awards of Mr. Justice Divetia and Mr. Justice Chagla of Messrs. Latif and Nanavati and Vasudev and
5. Gregory Committee appointed by Government of India to be as under:—

(*a*) "No one whose wages provide no margin over the cost of minimum subsistence must be pushed below that level by the rise in prices, but must be kept at that level".

(*b*) "Those who before the War were just above the minimum subsistence level should not be forced to go below such level".

From the Statement No. 6 it will be seen that the Dearness Allowance granted to the staff did not at all neutralise the high cost of living as the percentage of the Dearness Allowance granted touched only the fringe of abnormal cost of living. For the first 19 months of the War no compensation of any kind was granted to the staff. Thereafter in quick succession the Government had to change several times the rate of Dearness Allowance sanctioned. This conclusively proved that the Government always resorted to half-hearted measures and there was no principle followed by Government in the grant of Dearness Allowance. It is a significant fact that complete neutralisation was not paid even to those who were below the subsistence level and those who were above the subsistence level, were pushed below that level on account of the grant of inadequate Dearness Allowance. The Government have thus completely set aside the well laid down principle on which the compensation should be paid to the workers for the rise in cost of living. In Foreign countries like South Africa when there was only 31·3 increase in the cost of living, the Government there sanctioned nearly 50% Dearness Allowance. The Statement No. 7 will show in detail the scales of Dearness Allowance sanctioned. When, however, there was rise in the cost of living by at least 300% everywhere in India, the Government sanctioned only 17½% Dearness Allowance. It is also to be noted that the living index figures furnished by Government are according to the rationed prices. In mofussil areas it is a fact that people had to pay prices much heavier than the controlled ones. The living index figure will not, therefore, give the true picture of the dearness existing in the country. The net result was that the low paid staff of this Department whose scales of pay were quite inadequate, and who were above reproach as regards their honesty were very hard hit and had to suffer not only pecuniary difficulties but also great mental worries.

When the living index was shooting up (*vide* Statement No. 8) the Post Office staff was bewildered and much more the New Entrants. They were at their wits end to make two ends meet. This rendered the Postal Service unpopular. The Department in order to get required number of recruits even relaxed the following conditions prescribed for recruitment:—

1. The competitive examination of recruits was cancelled.
2. The condition of three months service without any remuneration was removed.
3. The age limit was raised from 21 to 25.
4. The initial pay was raised at some places by Rs. 6 or Rs. 3.
5. The condition of initial deposit of one month's salary had to be withdrawn.
6. Non-qualified (non-matrics) persons were also ordered to be recruited.
7. Married women were also made eligible to join the service.

This shows that the pay and prospects of the New Entrants did not attract the requisite type of men to join the service.

The Post Office staff are proverbially honest. To keep up the fair name of the Department it is absolutely necessary that these men are kept above corruption.

The chief causes of corruption in services are accepted to be :—

(1) Increase in work.
(2) Inefficiency.
(3) Despair of success in the efforts.
(4) The needy poorly paid Lower Grade Subordinate Staff and menials.

APPENDIX II—*contd.*

The following principle of the " Islington Commission " is worthy of note :—

> " Government should pay so much and only so much to their employees as is necessary to obtain recruits of the right stamp and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service. "

According to the " Nutrition Charts " published by the Government the cost per head for two meals of the balanced diet comes to Rs. 1-8-0. For an average family of four members Rs. 6 as fooding charge only are required, apart from the expenditure on other necessaries of life. Nothing short of Rs. 250 per month can enable a worker with average family of four members to live.

The situation created in the country by the recent global War remains much the same. When the prices of the essential commodites rose by 400% the relief granted by the Government was so meagre as not to cover 380% of the rise in the cost of living. The Department with huge surpluses year after year, earned by the sweat of the brow of the overworked officials could have given much needed relief to the staff. It was stated by the Departmental authorities when the Department was running at a loss that soon after the Department became self-supporting the question of granting relief to the staff would be considered. This was, however, conveniently forgotten and the surpluses accrued, *vide* Statement No. 9, were credited to General Revenues without giving adequate relief to the staff on the starvation level. The financial policy adopted by the Department has been stated in the Legislative Assembly on the 12th March, 1924, as under :—

> " I entirely agree with Mr. Neogy in considering that the Post Office should be looked upon as a public utility service. But in the same way as the Railways and any other organisations which are for the benefit of the General Public and are looked upon as Public Utility Services should at the same time pay their way. I consider that the Posts & Telegraphs Department should pay its way and I have the authority of my Honourable colleague, the Finance Member, in saying that the Government do not look to the Posts & Telegraphs Department as a Revenue earning Department. "

Contrary to this well-laid down policy, apart from the surpluses credited to General Revenues so far, even the surplus of Rs. 10,24,65,000 for the year 1944-45 has been credited to General Revenues.

The Government has stated, while referring the dispute arisen between the unions and the Government, to the Adjudication, thus :—

> " In the opinion of the Government of India one question raised by the unions which requires separate consideration, enquiry and adjudication, *i.e.* the question relating to the adequacy or otherwise of the relief already granted by the Government of India to the non-gazetted employees in the Posts & Telegraphs Department, governed by the New Scales of Pay introduced since 1931. "

By the term " relief ", the Government obviously mean only pecuniary relief. Now, Sir, the pecuniary reliefs can fall under the following main categories :—

(1) Increase in the scale of pay.

(2) Increase in the Dearness Allowance and Good Conduct Pay.

So far as the first item is concerned, it has been conclusively proved by what has been stated in the first part of the Memorandum, how the scales of pay were inadequate, how greatest injustice was done to the officials in this Department by introduction of the " New Scales of Pay " and how Government flouted their own promise that whatever surplus there would be in the Department, would be utilised for the betterment of the staff. Even according to Sir Gurunath Bewoor, the Secretary, Posts and Air, the " New scales of Pay " were unreal. No additional testimony is, therefore, required to corroborate what has been stated above. My Union, therefore, emphatically urges that relief to the " New Entrants " may please be so granted as to give them a *Living Wage*, so far as the scales of pay is concerned.

As regards the increase in the Dearness Allowance and Good Conduct Pay, it is hardly necessary to point out that the Government's half-hearted, unprincipled and quite inadequate relief by way of scanty Dearness Allowance fell far short of the requirement. The relief in the shape of Dearness Allowance and Good Conduct Pay may please be granted so as to neutralise completely the abnormal high cost of living.

APPENDIX II—*contd.*

Sir, the officials of this Department are hard-working, loyal and honest. Glowing tributes are paid to them for their efficiency by not only the highest Officers of the Government and the Heads of this very Department but by all eminent members of the public In other services some small concessions like the free Railway Passes in Railways, are granted. In this Department no concession whatsoever is given to the staff. It is a key Department of a State. It was this Department which was responsible for maintaining the line of communications in the crucial period of War and it is the officials on the New Scales of pay, which are not less than 70 per cent. of the strength of the Department which contributed greatly to winning the War by the Allies. It was this Department which was brought under the Emergency Service Ordinance soon after the declaration of the War. The disabilities consequent on such declaration had to be put up with by the staff of this Department. In view of all this my Union requests your Lordship to give your award to raise the scales of pay of the "New Entrants" to give them a living wage and to grant additional Dearness Allowance and Good Conduct Pay to completely neutralise the high cost of living :

The rank and file of this Department and specially the "New Entrants" will be eagerly watching you and looking upto you to free them from starvation. Your decision, Sir, my Union trusts, will be a historical one and will turn a new leaf after the black chapter in the book of the "New Entrants".

Enclosures :—	Sheets.
9 Statements.	16

I have the honour to be,
SIR,
Your most obedient servant,
B. S. KAMBLE,
General Secretary.

STATEMENT No. 2 (A)

Statement showing the difference in total earnings of different categories of workers under old and new scales of pay.

Category	Years of service for reaching maximum		Total amount of pay received exclusive of all allowances		Difference	Remarks
	Old	New	Old	New		
Clerk . . .	20	22	27,720	21,240*	6,480	*He works for two years more and still gets over six thousand rupees less.
Postman . . .	20	20	10,080	7,238	2,842	
Inferior servants .	10	10	3,630	2,196	1,434	
			STATEMENT No. 2 (B)			
Clerks . . .	20	22	25,320	19,920*	5,400	*He works for two years more and still gets over five thousand less.
Postmen . . .	20	20	10,086	6,758	3,322	
Inferior servant .	10	10	3,630	2,076	1,554	
			STATEMENT No. 2 (C)			
Clerks . . .	20	22	22,920	18,600*	4,320	*He works for two years more and still gets over four thousand less.
Postman . . .	20	20	7,680	5,798	1,882	
Inferior servant .	10	10	2,550	2,052*	498	*Though he reaches his maximum in five years these earnings are for ten years.

APPENDIX II—*contd.*

STATEMENT No. 3

Statement showing extra service rendered by a Postal official

Holidays enjoyed by other officials of other Departments :—

Public Holidays		18 (Before there were 23).
Local Holidays		7 (Though there are always more).
Sundays		52
½ Saturdays	52/2	26
	Total	103 days.
The work done by them		365 — 103 = 262 days.
According to 6 hours a day, *i.e.*, 10-30 to 4-30		262 × 6 = 1,572 hours.
In Post Office holidays in a year		52 Sundays. 10 Other holidays.
	Total	62 days.
Ordinarily an official in Post Office gets alternate off. Therefore the holidays enjoyed		31 days.
(A) The official in Post Office has to do		365 — 31 = 334 days.
Work put according to 8 hrs. a day		334 × 8 = 2,672 hours.
Work put in execess		2,672 — 1,572 = 1,100 hours.
Excess work in 30 years		1,100 × 30 = 33,000/1,572 years. 20·9 years.
(B) The Official in R.M.S. Mail Offices has to do (They get fortnightly off and no Postal holidays).		365 — 26 = 339 days.
Work put according to 8 hrs. a day		339 × 8 = 2,712 hours.
Work put in excess		2,712 — 1,572 = 1,140 hours.
Excess work in 30 years		1,140 × 30 = 34,200/1,572 years 21·8 years.
(C) Porters & Sorters in Sections have no holidays.		
Hence he has to work continuously a year		365 days.
Work put according to 8 hrs. a day		365 × 8 = 2,920 hours.
Work put in excess		2,920 — 1,572 = 1,348 hours.
Excess work in 30 years		1,348 × 30 = 40,448/1,572 years. 25·7 years.

STATEMENT No. 4

Statement showig monthly family budget for "A" Area—Calcutta

For a family consisting of 2 members (Self and Wife)—

	Md.	SR.	CH.	Rs.	A.	P.
Rice	0	30	0	10	5	0
Atta	0	7	8	2	0	0
Dal	0	5	4	1	3	6
Oil	0	2	8	2	11	6
Ghee	0	2	0	8	0	0
Milk	0	15	0	11	4	0
Spices		...		2	0	0
Salt	0	2	0	0	6	0
Coal	3	0	0	4	0	0
Fuel		...		0	8	0
Vegetable & Fish		...		30	0	0
Office Tea & Tiffin		...		15	0	0
Sugar		...		1	2	0
Union subscription		...		0	8	0
House-rent		...		25	0	0

APPENDIX II—*contd*

STATEMENT No. 4—*contd.*

		Rs.	A.	P.
Washerman	...	1	8	0
Washing soap	...	0	4	0
Toilet	...	0	12	0
Hair Oil	...	1	0	0
Clothing	...	5	0	0
Shoe	...	2	0	0
Household equipment	...	3	0	0
Bedding & Crockery	...	5	0	0
Medical exponses	...	5	0	0
Conveyance	...	5	0	0
	Total	142	8	0

	For a family consisting of 4 members.			For a family consisting of 6 members.		
	Md. srs. ch.	Rs.	A.	P.	Md. srs. ch.	Rs.	A.	P.
Rice	1 5 0	16	0	0	2 0 0	27	8	0
Atta	0 10 0	2	10	6	0 20 0	5	5	0
Dal	0 5 0	1	14	0	0 7 8	2	13	0
Oil	0 3 8	3	7	6	0 5 0	5	0	0
Ghee	0 3 0	12	0	0	0 4 0	16	0	0
Milk	0 30 0	22	8	0	1 5 0	34	0	0
Spices	...	3	0	0	...	4	0	0
Salt	0 3 0	0	9	0	0 4 0	0	12	0
Coal	4 0 0	6	0	0	5 0 0	7	8	0
Fuel	...	0	8	0	...	0	12	0
Vegetable & Fish	...	45	0	0	...	60	0	0
Office Tiffin	...	15	0	0	...	15	0	0
Medical expenses	...	10	0	0	...	12	0	0
Sugar	...	2	0	0	...	3	0	0
House rent	...	35	0	0	...	50	0	0
Washerman	...	2	8	0	...	4	8	0
Washing soap	...	0	8	0	...	0	12	0
Toilet soap	...	1	2	0	...	2	0	0
Hair Oil	...	1	8	0	...	2	0	0
Clothing	...	7	8	0	...	15	0	0
Shoe	...	3	0	0	...	5	0	0
Crockery	...	4	0	0	...	8	0	0
Bedding & Other equipments	...	7	0	0	...	10	0	0
School fee (one child)	...	3	0	0	(2 children)	2	0	0
					College fee.	8	0	0
Books & Stationery	...	1	0	0	...	7	8	0
Barley	...	1	4	0	...	1	4	0
Barber	...	1	8	0	...	2	0	0
Union subscription	...	0	8	0	...	0	8	0
Conveyance	...	5	0	0	...	5	0	0
Total	...	214	15	0	...	322	2	0

APPENDIX II—*contd*

STATEMENT No. 4—*contd.*

Statement showing monthly family budget for "B" Area—Delhi

	For a family consisting of 2 members (self & wife)		For a family consisting of 4 members		For a family consisting of 6 members		
	Md. srs. ch.	Rs. A. P.	Md. srs. ch.	Rs. A. P.	Md. srs. ch.	Rs. A. P.	
Atta	0 18 0	5 0 0	0 36 0	10 0 0	1 14 0	16 0 0	At concession rates.
Rice	0 3 0	1 6 0	0 6 0	2 12 0	0 15 0	6 14 0	
Dal	0 4 0	2 0 0	0 6 0	3 0 0	0 8 0	4 0 0	
Oil	0 1 0	1 4 0	0 1 8	1 14 0	0 2 0	2 8 0	
Ghee	0 6 0	24 0 0	0 8 0	32 0 0	0 10 0	40 0 0	
Milk	0 30 0	15 0 0	1 5 0	22 8 0	1 20 0	30 0 0	
Spices	...	2 0 0	...	2 8 0	...	3 0 0	
Salt	0 2 0	0 3 0	0 3 0	0 4 6	0 4 0	0 6 0	
Fuel	...	0 8 0	...	0 12 0	...	0 12 0	
Coal	3 0 0	12 0 0	4 0 0	16 0 0	5 0 0	20 0 0	
Vegetables	...	10 0 0	...	12 0 0	...	15 0 0	
Meat	...	10 0 0	...	12 0 0	...	12 0 0	
Office tea & Tiffin	...	10 0 0	...	10 0 0	...	10 0 0	
Sugar	0 2 8	1 4 0	0 5 0	2 8 0	0 7 8	3 12 0	
Union subscription	...	0 4 0	...	0 4 0	...	0 4 0	
House Rent	...	15 0 0	...	20 0 0	...	25 0 0	
Club subscription	...	0 4 0	...	0 4 0	...	0 4 0	
Washerman (48 clothes)	...	6 0 0	(96 clothes)	12 0 0	(160 clothes)	20 0 0	
Washing soaps	...	2 0 0	...	3 0 0	...	4 0 0	
Toilet	...	3 0 0	...	4 0 0	...	5 0 0	
Hair Oil	...	1 0 0	...	2 0 0	...	2 8 0	
Clothing	...	10 0 0	...	15 0 0	...	20 0 0	
Shoe	...	4 0 0	...	5 0 0	...	6 0 0	
Household equipment	...	3 0 0	...	4 0 0	...	5 0 0	
Bedding & Crockery	...	5 0 0	...	8 0 0	...	10 0 0	
Medical expenses	...	5 0 0	...	10 0 0	...	15 0 0	
Conveyance	...	5 0 0	...	6 0 0	...	8 0 0	
Fruits	...	5 0 0	...	8 0 0	...	10 0 0	
Newspapers, Stationery and other misc. expenses	...	5 0 0	...	6 0 0	...	8 0 0	
Total	...	164 1 0	...	236 10 6	...	313 4 0	

N. B.—No provision has been made for Life Insurance, Ceremonial religious expenses and recreation on the above budgets.

APPENDIX II—*contd*

STATEMENT No. 4. "C Area"

Statement showing Approximate Monthly Expenditure on Average Family of a clerk as also of an inferior servant on the basis of plain balance diet.

Number of Family members—5 (Number of adults including Govt. Servant—2 and number of children aged 8, 6 and 4—3)

The consumption co-efficient of the family as fixed in the "Workers Nutrition & Social Policy" published by the International Labour Office, Geneva, 1936—(1, ·8, ·7, 6, ·4, 3·5). 3½ Units

1 Name of the Commodity	2 Monthly consumption in seers		3 Current market rate per seer	4 Cost at current market rate	
	Clerks	Inferior servants		Clerks	Inferior servants
	Md. srs. ch.	Md. srs. ch.	Rs. A. P.	Rs. A. P.	Rs. A. P.
I. *Food Stuffs*—					
Wheat	0 30 0	0 16 0	0 4 9	9 8 0	4 12 0
(*a*) Gram	...	0 16 0	0 3 0	...	3 0 0
(*b*) Bajra	...	0 16 0	0 3 0	...	3 0 0
Rice	0 16 0	...	0 10 9	10 12 0	...
Milk	0 26 0	0 6 8	0 8 0	13 0 0	3 4 0
Pulses	0 10 0	0 10 0	0 6 0	3 12 0	3 12 0
Vegetables (Non-leafy)	0 20 0	0 10 0	0 8 0	10 0 0	5 0 0
Vegetables (G. leafy)	0 13 0	0 5 0	0 4 0	3 4 0	1 4 0
Ghee	0 6 8	0 2 0	4 0 0	26 0 0	8 0 0
Fruits	0 6 8	...	1 0 0	6 8 0	...
Oil	...	0 4 8	1 0 0	...	4 8 0
Sugar	0 13 0	0 5 0	0 7 3	6 0 0	2 4 0
Gur	...	0 8 0	0 6 0	...	3 0 0
			Total	88 12 0	41 12 0

APPENDIX II—*contd*

STATEMENT No. 4—" C " AREA—*concld.*

1	2		3	4	
Co-efficient of 25% of the above food expenditure to be incurred on condiments, tea, and to meet the expenses to be extra paid in purchasing a portion of the foodstuffs from the unrationed market.				Rs. A. P. 22 3 0	Rs. A. P. 10 7 0
			Total .	110 15 0	52 3 0
II. *Other bare necessities*—					
Fuel	5 maunds	5 maunds	14 seers per rupee.	13 0 0	10 0 0
Light				4 0 0	0 8 0
Water				4 0 0	...
Utensils and Crockery (wear and tear, etc.)				5 0 0	1 0 0
Clothings (shoes, hosiery, etc.)				20 0 0	5 0 0
House rent				20 0 0	7 0 0
Medical Aid				15 0 0	5 0 0
Education of children				25 0 0	5 0 0
Miscellaneous (washerman, sweeper, barber, repairs, guests, emergencies, tailor, railway fares, postage, conveyance, etc.).				20 0 0	5 0 0
			Total .	236 15 0	90 11 0

NOTES

1. The fact that most of the employees who have also to support their old father and mother besides sisters and brothers as also more children has not been taken into account.
2. It has been kept in view that inferior staff be allotted food stuffs of low nutritive value such as oil instead of ghee, gur instead of sugar, and they had to go without rice, fruits and milk (except for a child).
3. Owing to the difficulties and delay in getting firewood or soft coke from the control shops it has generally to be purchased from the open market.
4. Expenditure under item " Education of children " includes fee for a private tutor, in the case of a clerk's family.
   N. B.—In case of inferior servant education has been restricted to primary standard.
5. The rates of the commodities are shown on information obtained from Tehsildar, Agra.

APPENDIX II—*contd.*

STATEMENT No. 5

Statement showing the scales of pay at present prevailing in the Posts & Telegraphs and other Government and Semi-Government & Private concerns.

Clerial (Bombay)—

1. Posts & Telegraphs Department . . . . . 44—45—3—90.
2. Customs Department . . . . . 50—3—95; 100—5—160.
3. Income Tax . . . . . 50—5/2—90—5—140.
4. Accountant General . . . . . 50—4—100—5—160.
5. Bombay Secretariat . . . . . 50—3—95; 100—5—160.
6. Bombay University . . . . . 50—5—160.
7. Bombay Municipality . . . . . 55—4—115—5—140.
8. Bombay Port Trust . . . . . 60—5/2—90—5—150.
9. Oriental Life Insurance . . . . . 50—3—65; 75—5—145.

The scale of pay and the rate of increment of the clerical staff in the Offices of Chief Commissioner, Deputy Commissioner and District Board, Delhi was as follows :—

Prior to 15-7-1931 . 45—2—95. *After 16-7-1931* . 40—2—80.

The scale of pay and the rate of increment of the clerical staff at Delhi in the P. & T. Department was as follows :—

Prior to 15-7-1931 . 45—5—145. *After 16-7-1931* . 40—40—3—85/95—4—120.

The rate of increment in the Post Office was reduced from Rs. 5 to Rs. 3 whereas in the local offices the rate of increment remained unchanged. The reduction in the maximum in local offices was only Rs. 15 while in the Post Office the maximum was reduced to Rs. 25 p.m.

STATEMENT No. 7

Statement showing the sanctioned scales of dearness allowance in South Africa when there was only 31·3 increase in the cost of living

Salary or Wage Group (Per Annum)		Allowance payable per annum £ s. d.	
Upto £50	M and S	22 10 0	
Over £50 to £75	M	33 15 0	
Over £75 to £100	M	45 0 0	
	S	22 10 0	
Over £100 to £150	M	60 0 0	(or £48)*
	S	30 0 0	
Over £150 to £200	M	75 0 0	(or £60)*
	S	30 0 0	
Over £200 to £300	M	90 0 0	(or £72)*
	S	30 0 0	
Over £300 to £600	M	105 0 0	(or £84)*
	S	30 0 0	
Over £600 to £900	M	105 0 0	(or £84)*
	S	28 0 0	
Over £900	M	84 0 0	
	S	28 0 0	

*Applicable to married staff in receipt of a monetary allowance under a departmental rent rebate scheme.

M=Married staff. S=Single staff.

APPENDIX II—*contd.*

ALL-INDIA POSTMEN AND LOWER GRADE (INCLUDING R.M.S.) STAFF UNION

(Annexure 'B' has not been reproduced)

(1) On the 12th February, 1946 this union gave a Notice of Strike under Rule 81-A of the Defence of India Rules and Section 15 of the Indian Trade Disputes Act (VII of 1929) to the Director-General, Posts and Telegraphs, annexing a list of Demands. This union says that such of the said demands as come within the scope of the terms of reference to adjudication should be awarded. A copy of the said list of Demands is hereto annexed as Annexure "A".

(2) This union says that it never maintained that only the employees on the new scales of pay are in need of additional relief pending the findings of the Pay Commission. The Statement of Sir Gurunath Bewoor, Secretary, Posts and Air in this behalf, in para. 11 of his letter No. A 17-8/46, dated 4th March 1946 to the Director-General, Posts and Telegraphs, that : "Government, however, have taken note of the fact that the *unions maintain* that some additional relief to the men on the new scales of pay in the Posts and Telegraphs Department is necessary pending the findings of the Commission" is not correct inasmuch as it is intended to convey the suggestion that according to the unions no additional relief was necessary to the men on the old scales of pay. This union repudiates this latter suggestion and says that while the relief so far granted by the Department is not adequate to meet the enormous increase in the cost of living in the case of both the old and new entrants, the new entrants are in need of greater relief.

(3) This union says that the terms of reference are wide enough to include all kinds of reliefs which would enable the employees to maintain themselves on a reasonable standard under the present increased cost of living.

(4) This union says that both the old and the new scales of pay are unreal under the conditions of living obtaining at present when the cost of living index is near 250 and therefore the basic pay should be revised for both the scales. Pending, however, the revision of the basic pay by the Commission, the men on the new scales of pay who are in need of greater relief, should be either put on the old scales on a point to point basis, or, in the alternative, and without prejudice to this demand for relief, a monetary compensation should be paid to the men on the new scales to equalise their total emoluments with those of the old entrants for an equal number of years' service.

(5) This union adopts as its own the Memorandum dated 18th December 1944 submitted on behalf of the Bombay Postmen Union and the Bombay Post Office Lower Grade Staff Union (both affiliated to this Union) to the Postal Enquiry Committee (the Krishna Prasada Committee), 1944, in so far as the same is relevant to the terms of reference to this adjudication. This union will rely on the statements made in the said Memorandum and on the Annexures annexed thereto. A printed copy of the said Memorandum is hereto annexed as Annexure B*.

(6) This union says that the figures for the total minimum income requirements of a family of four persons – husband, wife and two children—in order to maintain themselves on a reasonable standard taking into account the local prices, house-rent and present conditions of living, in the case of a postal employee on the lowest scales of pay—say a Packer —for A, B and C class Areas are found, after a careful investigation, by the Postal Enquiry Committee, 1944 and were reported to the Department. These figures were held to be applicable for the whole of India by the Posts and Telegraphs Department. This union hereby calls upon the Department to produce the report of the said Committee and make it available to the Adjudicator and the unions and thereby facilitate and considerably shorten the work of adjudication and by willing co-operation, assist the ends of justice, equity and good conscience.

(7) In para. 10 of his letter No. A 17-8/46, dated 4th March 1946 to the Director-General, Posts and Telegraphs, Sir Gurunath Bewoor, Secretary, Posts and Air, says as follows :—

> "The Bombay Postal Enquiry Committee was appointed to inquire into and report on certain facts. *Government took into consideration the facts reported upon* when the revision of dearness and war allowances was effected in April of 1945. *Action was also taken upon certain other facts reported on* by the Committee. Government, therefore, did not consider it necessary to publish the report of the Committee and they see no useful purpose likely to be served by the publication of the Report now after the lapse of nearly a year."

This union denies the correctness of this statement and hereby calls upon the Department to state to what extent it has given effect to or taken action on the facts found by the said Committee and to what extent it has not implemented its findings. This union says that this information, if supplied by the Department, will be most helpful for the purpose of this adjudication in the ascertainment of further relief necessary. This union says that the Department should adopt a helpful and co-operating attitude in the matter of this adjudication.

*Not printed.

APPENDIX II—*contd.*

(8) This union says that the new entrants are entitled to a two-fold relief, *viz*:

(*a*) restoration to the pre-1931 scale on a point to point basis; or, in the alternative, to a money compensation equalising their emoluments with those of the old entrants for an equal length of service; and

(*b*) (in common with the old entrants) payment of the difference between their emoluments [as calculated under (*a*)] and the total minimum requirements for a reasonable standard of living on the basis of a family of four persons.

(9) This union says that, in any event, the new entrants (as well as the old entrants) are entitled to get the same 'real' wages now (with further increments added) as they were getting when they were first taken into service.

(10) This union further says that the total emoluments which the new entrants (this applies to old entrants also) were getting in August 1939 when the index number was about 105, should be increased in the proportion of the rise in the cost of living index number which at present is in the neighbourhood of 250, and the difference in the total emoluments which is being paid and the total emoluments as calculated above, should be paid to them.

(11) This union says that according to the findings of the Textile Labour Enquiry Committee, the minimum basic wage for an industrial worker in the City of Bombay was Rs. 50 to 55 when the cost of living index was 105. On that basis the minimum basic wage would be in the neighbourhood of Rs. 120 for an industrial worker in Bombay City. The postmen class (and some of the lower grade staff also) are more literate and drawn from a higher social class than the ordinary industrial worker in Bombay. So from this point of view also, this union submits that a very substantial relief is necessary to be given to the postmen and lower grade staff in Bombay City and proportionately in the other areas by way of further relief.

(12) As conditions to certain extent differ in different provinces, this union reserves liberty of filing a supplementary statement of demands in respect of any special requirements of a province or district, such as, payment of a Victory Bonus of one year's salary to the employees in those areas of Bengal and Assam Circles which were militarised during the war and the payment of a compensatory allowance to the employees in the A areas of Calcutta, corresponding to that being paid for Bombay City.

V. G. DALVI,
Hony. General Secretary,
All-India Postmen and Lower Grade (including R. M. S.) Staff Union.

BOMBAY;
8th April, 1946.

ANNEXURE "A"

List of Demands

1. The report of the Postal Enquiry Committee, 1944, should be published without any delay and practical effect should be given to the recommendations of the Committee within a reasonable time.

2. The scales of pay of all the officials in the P. & T. Department below the clerical cadre should be revised as shown below:—

	Rs.
I. Clerks promoted from Postmen	100—5—200
II. Overseers, Readers, Sorting Postmen and Mail Guards	90—5—130
III. Postmen	40—2—80
IV. R.M.S. and Hall Jamadars	45—2—55
V. Packers, Porters and Van-Peons and Telegraph Messengers	30—1—45
VI. Boy Peons	20—1—25
VII. Mail Drivers	100—10—150

3. The existing leave rules for the postmen should be abolished and substituted by those in existence prior to 1931.

4. All distinction in the matter of leave and pension rules between the superior and inferior servants of the P. & T. Department should be abolished and half-pension be granted to the Inferior Servants in the same way as is done for Superior Servants. The term "Superior" servants should be abolished.

APPENDIX II—*contd.*

5. The existing rate of house-rent should be raised to Rs. 12 p.m. Adequate house-rent allowance should also be given to postmen and inferior servants of the P. & T. Department at places where it is not being given at present.

6. The Dearness Allowance should be adequately increased.

7. Officials of the P. & T. Department who have acted in higher grades satisfactorily for a year or more should be considered as eligible for confirmation in those higher grades without any examination.

8. Arrangements for the supply of food-grains and other necessaries of life at concessional rates should be made at all places on the same lines as those made by the Railway.

9. The percentage of posts in the clerical cadre reserved for candidates from the postmen obtaining qualifying marks in the test should be raised from 20% to 50% as before and the posts be reserved for the departmental candidates in the same way as for the minority candidates.

10. Hill station allowance and bad climate allowance should be granted to postmen and inferior servants at the same rates as are applicable to clerks.

11. Warm uniforms should be supplied to the postmen and inferior servants at all places where the temperature on any three days in the year falls below 50°.

12. All other demands contained in the Resolutions passed by the All-India Postmen and Lower Grade (including R.M.S.) Staff Conference held at Madras on 16th October 1945 and forwarded to the Director-General, Posts and Telegraphs on 3rd November, 1945.

V. G. DALVI.

Copy of Resolutions Passed by the All-India Postmen and Lower Grade (including R.M.S.) Staff Conference, held at Madras on 16th October, 1945.

1. This Conference draws the attention of the Government of India to the undertaking given by the Director General that the Report of the Postal Enquiry Committee would be applicable to Postmen and Lower Grade Staff all over India and condemns the attitude of the Government in not only failing to give effect to the recommendations of the Committee but further in withholding publication of the Report. This Conference reminds the Government that it was only in view of the Director-General's undertaking that the notices of strike given by several provinces were left pending and considers the present attitude of the Government as an eye-wash to the Postmen and Lower Grade Staff.

In view of this, the Conference demands that :—

(*a*) The report of the Postal Enquiry Committee be published within one month from the date hereof.

(*b*) Practical effect be given to the recommendations therein within reasonable time.

(*c*) This Conference further resolves that a Committee of action consisting of representatives from each Province together with the office-holders of the All-India Union, be set up forthwith and it be authorised to take any action it may deem necessary for enforcing the demands.

2. This Conference fully endorses the demands made before the Postal Enquiry Committee, 1944, by the various Branch Unions of this union, *viz.*—

(*a*) The scale of pay for all officials in the Postal Department below the clerical grade should be revised as shown below :—

	Rs.
Lower Division clerks	100—5—160
Overseer and Postmen	90—5—130
Postmen	40—2—80
R.M.S. & Hall Jamadars	45—2—55
Packers and Porters	30—1—45
Boy Peons	20—1—25
Mail Drivers	100—10—150

(*b*) The house-rent allowance should be increased to Rs. 12 per month and granted to all Lower Grade Staff in all places.

(*c*) Grains at concession rates should be supplied as in the case of Railway employees.

(*d*) Temporary staff who have done satisfactory work should be confirmed without examination.

APPENDIX II—*contd.*

(*e*) In the case of clerical staff the old scale should be immediately restored as a temporary measure until the scales are finally revised.

(*f*) Inferior servants should get half pension as the superior staff.

(*g*) Those inferior servants who are acting as Postmen for several years but cannot pass the prescribed test, be confirmed as Postmen without examination.

(*h*) Packers and other inferior servants should get compensatory allowance of Rs. 5 as in the case of Postmen and the same should be sanctioned with retrospective effect, *i.e.* from 1st April 1935.

(*i*) Postmen and Lower Grade Staff should be given over-time pay and holiday allowance.

3. This Conference looks with concern at the coming wave of post-war retrenchment which is also threatening the Postal Department. Therefore this Conference suggests the following to face the coming retrenchment :—

(*a*) A board consisting of equal representatives of the union and the Government be immediately formed and all retrenchments be brought into force after due consideration, with the Board and with its permission only.

(*b*) 40 hours' week be immediately introduced.

(*c*) Extra Departmental agent system in Post Offices should be abolished.

(*d*) Dole system should be adopted to help and maintain the retrenched hand.

(*e*) Pensioning off the older categories.

(*f*) New Post Offices be opened and the services be extended to the remotest corner of India to absorb the retrenched hand.

But even then the unemployment problem cannot be solved unless and until the country is industrialised and therefore this Conference demands that a national government be granted to India to facilitate the industrialisation of India which alone can solve the large problem of 50 lakhs of workers threatened with unemployment of which the postal retrenchment will be an important factor.

4. This Conference resolves that the rules regarding pension at present obtaining for the so-called inferior servants of the Provincial and the Central Government are extremely harsh, unjust, illogical and inequitable and therefore strongly urges upon the Government to apply the rules for the pension on a liberal principle as detailed below to the staff of the Inferior Service with immediate effect irrespective of whether they are temporary or permanent, daily rated or monthly or otherwise.

The principles for granting pensions should be as follows :—

(*a*) Pension should be in no case below 50% of their last emoluments or the average emoluments of the last year.

(*b*) The period of the eligibility for the pension should be curtailed and in no case should exceed 25 years of service, or 50 years of the employee's age.

(*c*) In the case of the death of an employee before reaching the age for eligibility, his dependents should be entitled to get an adequate provision in the form of gratuity or pension.

(*d*) In the case of an employee dying within 2 years of the pension being received his dependents should be entitled to a compensatory gratuity based on an adequate scale.

(*e*) In the case of total incapacity before reaching the age of eligibility he should be entitled to a proportionate pension.

(*f*) In cases where the pension scheme is not introduced or working a suitable provident fund scheme *plus* gratuity on the line of that introduced for the Railway employees should be introduced.

5. This meeting places on record its great dissatisfaction at the drastic reduction of percentage of clerical posts available for recruitment from among postmen, from 50% to 20% and protests against this unjustified and apathetic attitude in cutting off the only source of promotion for postmen and requests that at least 50% of the clerical vacancies be filled from among postmen and that the same be reserved for departmental candidates, in the same way as reservation is being done for minority candidates.

6. The present war has drawn a huge amount of rural workers into city and therefore cases where the population has gone up two-fold or even three-fold during this war period are not few. This phenomenon has been totally ignored in classifying the towns

APPENDIX II—*contd.*

and therefore this Conference demands a re-classification of the cities on the basis of present rise in population and of urban areas and also the granting of the Dearness Allowance on that basis and provision of increased staff, particularly relieving staff of not less than 25%.

7. This meeting resolves that the Government should enforce rules for the employees under the so-called Inferior services on the same principles which regulate the so-called superior services irrespective of any distinction whether the employee is permanent or otherwise, daily rated or otherwise.

9. This Conference urges the Government to issue instructions to the postal department that the treatment and attitude of officers to the subordinate staff should be considerate and sympathetic.

11. This Conference demands from the Government that seats be reserved in the Central Assembly for representatives elected exclusively from Labour and Trade Union Constituencies. In the meantime the Labour representative nominated by the Government to the Central Assembly should be on the recommendation of the All India Trade Union Congress.

12. In view of the fact that Delhi is the capital of India and that this Union has conferred a Provincial Status on the Delhi Union this Conference recommends that Delhi should be included in the "A" Class.

13. Resolved that in view of the fact that specially Bengal and Assam undertook heavy responsibility during the continuance of the war, this Conference urges that Government of India may be pleased to award Bengal and Assam Circle at least one year's salary as bonus or whatever it may be called.

14. This Conference demands an immediate grant of compensatory allowance to Postmen and Lower Grade Staff working in Hill Stations and unhealthy places, in the same way as clerks and a travelling allowance should be granted to overseer postmen accompanying inspectors who are paid Rs. 60 travelling allowance per month.

17. This Conference strongly condemns the action of the Director-General in putting a ban on the election of Mr. Horilal Saxena as an office-bearer of the U.P. Provincial Union. In the opinion of this Conference this action of the Director-General constitutes an unjustifiable interference in the union's administration and activities and this All India Union will be reluctantly compelled to take up the challenge with the Government if the ban is not removed forthwith.

18. Whereas the withdrawal by the Government of India in 1941 of the privilege enjoyed ever since 1912 by the Postal Provident Societies and the Postal Co-operative Societies all over India of getting their premiums and dues of their members remitted to them by free service money orders has put these societies and its members who are after all Postal employees to very great loss and unnecessary hardship and whereas this privilege was the only concession conferred by the Postal Department on these servants as against the free travel and other concessions granted to Railway servants by the Railways and whereas revenue derived by the Government on this account is only a drop in the ocean, this Conference of the Postmen and Lower Grade Staff assembled at Madras appeals to the Director-General for the restoration of the concession at an early date as the war has ended and there is absolutely no justification for the continuance of the ban even on grounds of economy.

19. It is resolved that Runners should be supplied with full uniforms.

V. G. DALVI.

THE ALL-INDIA TELEGRAPH UNION

(*Annexures 'C' to 'F' have not been reproduced*)

Letter No. EC-1/46. *Calcutta, 6th April 1946.*

To

THE ADJUDICATOR (POSTAL DISPUTE),
Room No. 105, 'M' Block Hutments,
Church Road, NEW DELHI.

SIR,

In obedience to your Notice No. N. (1), dated New Delhi, the 26th March 1946, I have the honour to submit the following statement on behalf of the ALL-INDIA TELEGRAPH UNION.

2. Before setting out the demands of the workers serving the Telegraph Branch of the Posts & Telegraphs Department, this union would like to make some observations on the terms of reference.

APPENDIX II—*contd.*

3. *Terms of reference:*—(*a*) The terms of reference have to be read in the light of the demands put forward by this union in its Strike Notice and also in that of the Federation of Post & Telegraph Unions, and, if necessary, the terms of reference should be enlarged as permissible under Rule 81-A of the Defence of India Rules, as modified by Correction No. 62 being Defence Department Notification No. 5-DC(8)/43, dated the 11th December 1943. The terms "such of the employees as are governed by the new scales of pay", I beg to submit, therefore, include those also whose service conditions were unjustly altered during the depression period for reasons of economy such as those covered by the Government of India, Department of Industries and Labour Memorandum No. Es. A.-130/33 (2), dated the 11th March, 1935 and Memo. No. Es. A-130/35/Coll. 2, dated the 15th March, 1935. The terms also include those employees of the private companies like Bengal Telephone Corporation Ltd. which were acquired by the Government in 1943. It may be pointed out that they are Government servants within the meaning prescribed in law and that they are so treated by the Telegraph Department for purposes of granting Dearness Allowance, Good Conduct Pay, etc.

(*b*) The next point, I beg to submit, is that the paying capacity of the Department should not weigh in determining the amount of relief which may be recommended.

(*c*) The terms "...require any further relief pending the findings of the proposed Post-War Pay Commission," according to my union, mean that the purpose for relief is to grant monetary assistance for the attainment of a reasonable standard of living and that such grant should be considered as 'pay' for purposes of calculating pensions, gratuities, etc. The term 'further relief' also includes the rates of pension of inferior servants which have been revised as the result of the Strike Notice.

4. *The Telegraph Service should receive special treatment.*—(*a*) Being a security and public utility service, and also because of the irregular and long hours of duties without any holidays expected from the employees all round the clock throughout 365 days, those employed in this service stand entirely on a different footing from other Government servants. It is also wrong to compare this Service with the Railways as in the case of the latter several concessions are granted by way of free travelling, housing accommodation, subsidised schools, free medical aid, etc. The Government themselves have denied to Telegraph employees such concessions as have recently been granted in the shape of Unified Scales of Pay for clerks, Compensatory House rent Allowances, etc. to other Central Government servants.

(*b*) Unlike in any other departments of Government, the policy of the Telegraph Department has been to make it pay its way, *vide* the declaration of policy of the Government made by the Hon'ble Sir Atul Chatterjee, Member-in-Charge of the Department of Industries & Labour in the Legislative Assembly on the 12th March 1924. As a result of this declaration the accounts of the Department were placed on commercial basis following the recommendations of the Posts & Telegraphs Accounts Enquiry Committee 1931. Along with this, the scales of pay were drastically curtailed to meet the requirements of the policy.

(c) It may also be pointed out that since 1922, four retrenchment Committees, *viz.* the Inchcape Committee (1922-23), Ryan Committee (1924), Jehangir Committee (1931) and Varma Committee (1932) were appointed to effect economy in the Telegraph Service. Following the recommendations of the 1932 Committee, an immediate net saving of Rs. 19,59,000 was effected in the Telegraph Service. During 1931, an immediate saving of Rs. 71,42,903 was effected in the Posts and Telegraphs Services.

5. *The Policy behind the New Scales of Pay.*—During 1931, the Government of India appointed a Committee with Sir Cowasjee Jehangir (Junior), K.C.I.E., O.B.E., M.L.A., as the Chairman with the folllowing terms of reference :—

> "To make recommendations to the Committee for effecting forthwith or by stages all possible reductions in the public expenditure of the Government of India under review of the Sub-Committee, having regard especially to the present and prospective position of the revenue....."
>
> "Advice on the principles which should guide Government in framing proposals for the remuneration of future entrants in the P. & T. Department....."

The Committee recommended different scales of pay and these were termed as "Economic rates of Pay for future entrants".

The Government further modified the scales as recommended by the Committee and fixed the pay at a considerably lower figure. These scales of pay are termed as New Scales. The scales had no relation to the nature of duties performed and made no distinction between skilled and unskilled work. They were based on the consideration of revenue and the policy of supply and demand. The proportionate decrease in comparison with the scales of pay prevalent since 1920 onwards was in some cases about 50 per cent. It may be stated here that the pre-1931 scales of pay introduced since 1920 were not in exact proportion to the rise in the then level of prices. In 1920, the General Index number

APPENDIX II—*contd.*

for all articles was 281 as against 137 in 1912 whereas increases in pay given from 1920 varied between 25 to 60 per cent. The Wages position of the lower paid category of staff who never received living wages, has never been satisfactory.

6. *Indebtedness.*—I enclose herewith a statement showing the indebteaness of the permanent subordinate staff in the Bengal & Assam Circle who are members of the Calcutta Central Telegraph Office Co-operative Credit Society Ltd. (Annexure A.) The average monthly deductions from salary is more than Rs. 46 for repayment of loans. It may be mentioned that the officials in this Circle were militarised in 1943 with an increase of pay to the extent of 25 per cent. and additional ration allowance of Rs. 1-1-0 per diem. The loans taken are mostly for unproductive purposes such as meeting the domestic expenditure.

7. *Cost of living.*—I also submit herewith the following statements:—

(*a*) A comparative statement showing the prices of principal commodities in Calcutta in Spetember 1939 and March 1946. (Annexure B.)

(*b*) The Middle Class Cost of Living for 1945 in Calcutta. (Annexure C.)

(*c*) Index Numbers of Wholesle prices in India of principal commodities. (Annexure D.)

(*d*) Cost of Living Index for Working Class in Bombay. (Annexure E.)

(*e*) Extracts from the "STATESMAN", Calcutta, dated the 31st August 1945 and the 24th September 1945. (Annexure F.)

8. *Conclusions.*—From the above statement of facts it would be observed that the relief so far granted in piecemeal is inadequate and is not commensurate with the present level of prices. The commodity value of a rupee has decreased by about 75 per cent. in comparison with what it was in 1920 and the relief granted so far is disproportionately low. The percentage of relief granted to lower paid staff may be arithmetically higher but they have never been paid salary on principles of Living Wages or "Stop rate", and for that, the total income in their case still falls far short of the requirements of a reasonable standard of living for groups of people they are recruited from. The inadequate relief so far granted also varied in its application in different areas according to the classification of areas, which had no relation to the local cost of living. The concentration of military camps and/or the influx of additional population employed on wartime undertakings shot up prices of foodstuffs to abnormal heights even in small stations where the Telegraph employees suffered doubly from the disadvantages of lower scales of pay as well as Dearness Allowance at reduced rates.

9. *Demands.*—(i) My union accordingly demands that the distinction between A, B & C class areas be abolished and that the relief should be on the basis of replacement of the new scales of pay, on the point to point system, by the old scales so far as subordinate employees on the departmental scales of pay are concerned. In the case of ex-employees of the acquired Telephone companies, the relief should be on the basis of the grant of all with held increments of pay and benefits of normal promotion with special consideration for those classes of employees whose pay scales are lower than the P. & T. scales of pay for employees having to perform similar or corresponding duties.

(*ii*) The pay as determined on the above basis should then be supplemented by a Compensatory Allowance at a rate not lower than Rs. 3 (Rupees three) per diem subject to the minimum total emoluments of Rs. 100 (Rupees One hundred) per month for the lower paid employees.

(*iii*) Specal relief at the rate of 25 per cent. of pay is also claimed for employees in the Bengal & Assam Circle where the impact of war and the famine created an abnormal situation. An additional strain on their income followed on account of the removal of their families from non-family areas and for the maintenance of double establishments for prolonged periods.

(*iv*) Neither the scales of pay nor the relief granted in the shape of Dearness Allowance took any account of the additional expenditure which employees in hill stations have to incur for protection against climatic conditions. Additional relief is therefore claimed for Telegraph employees in such places. and

(*v*) The minimum pension should be fixed at Rs. 30 (Rupees Thirty) per month in all cases of Inferior Servants.

I have the honour to be,
SIR,
Your most obedient servant,

P. C. CHATTERJEA,
General Secretary,
All-India Telegraph Union.

Enclosures: 6.

APPENDIX II—*contd.*

ANNEXURE A

INDEBTEDNESS TO CO-OPERATIVE CREDIT SOCIETY LTD., CENTRAL TELEGRAPH OFFICE, CALCUTTA

Year	No. of Members	Amount of Loans issued	Average loan per head per annum	Average loan per head per month
		Rs. A. P.	Rs.	Rs.
1939-40	675	2,32,840 11 0	345	28·7
1940-41	619	2,56,117 15 0	413·6	34·4
1941-42	630	3,74,088 0 0	593·7	47·1
1942-43	630	3,54,097 5 0	562	46·8
1943-44	657	3,65,648 0 0	556·5	46·8
1944-45	680	3,77,788 6 0	555·5	46·4
1945-46	695	3,76,000 0 0	541	46·3

ANNEXURE B

A comparative Statement showing the prices of principal commodities in Calcutta in September 1939 and March, 1946

Commodity	Retail price on 1-9-39	Present Price
	Rs. A. P.	Rs. A. P.
Rice Coarse	3 8 0 per md.	15 0 0 per md.
,, Ordinary	4 4 0 ,, ,,	
,, Medium	4 10 0 ,, ,,	
Atta	0 1 9 per seer	0 5 6 per seer.
Flour	0 2 3 ,, ,,	
Sugar	0 4 9 ,, ,,	0 8 6 ,, ,,
Salt	0 1 0 ,, ,,	0 3 0 ,, ,,
Mustard Oil	0 6 6 ,, ,,	1 2 6 ,, ,,
Dal Masur	0 2 6 ,, ,,	0 6 0 ,, ,,
,, Arhar	0 2 6 ,, ,,	
,, Chola	0 2 3 ,, ,,	
,, Mug	0 3 6 ,, ,,	0 14 0 ,, ,,

APPENDIX II—*contd.*

ALL-INDIA TELEGRAPH UNION (BOMBAY BRANCH)

(The exhibits have not been reproduced)

No. A-ITU/62. *Bombay, 6th April 1946.*

To

MR. JUSTICE G. S. RAJADHYAKSHA, I.C.S., Adjudicator, Postal Dispute, Room No. 105, 'M' Block Hutments, Church Road, *New Delhi.*

SUBJECT :—*Relief for some pre-1931 employees who are adversely affected by the orders introducing the new scales of pay.*

YOUR LORDSHIP,

With reference to the Notice published in the *Times of India* issue dated 2-4-1946, I have been asked by some of the pre-1931 employees—the 'Lower Division' clerks—of the Bombay Central Telegraph Office, to address Your Lordship as follows :—

1. All the Lower Division clerks of the Bombay Central Telegraph Office, were employed between 1927 and 1931 under the so called old scales of pay. However, when the orders introducing the new scales of pay for all clerks employed on or after 16th July 1931 were issued in 1935, some of the provisions of the orders were applied by Government to the Lower Division clerks, with the result that they had to stagnate in their grade for several years, before they could have their normal promotion to the Upper Division grade. Their position is therefore peculiarly unfortunate in that, although they are pre-1931 employees their annual increments in pay were held up in the middle of their service on account of the orders intended avowedly to be applied to the officials on the new scales of pay. I therefore submit that employees of this cadre are also entitled, along with the employees governed by the new scales of pay, to place their statement of demands before Your Lordship, for adjudication. I beg Your Lordship's permission to describe below the details of the case and the nature of relief they seek to obtain from the Government.

2. The 'Lower Division' cadre of clerks (also called as Class III cadre), was introduced in the Bombay C. T. O. some time before 1927. Upto 31st March 1927, its scale of pay was Rs. 58—6/2—70—6—100—5—110. From 1st April 1927, this scale was revised to 60—4—100. Officials recruited in this cadre prior to 1st April 1927 therefore drew pay in 58—110 scale while those recruited after 1st April 1927 draw their pay in the scale of 60—4—100. Excepting this fact, there is no difference between the two scales, as regards the nature of work performed or the responsibility of the incumbents in the Lower Division cadre.

3. The original object of introducing the Lower Division cadre was to form a cadre by the promotion of Inferior Servants (*viz.*, Postmen, Mailguards, Telegraph Messengers, etc.) who had the requisite elementary educational qualifications, so that their prospects could be improved by utilising their services in the performance of clerical duties of a routine nature, neither requiring special intelligence nor involving much responsibility. Officials in the Lower Division cadre thus promoted from Inferior ranks, were under no circumstances allowed to act in or do the work of any post which belonged to the ordinary Time Scale (of Rs. 60—5—160). The basic idea of the Lower Division scheme was thus to effect a revision and to place the Inferior servants on a better footing than they were before that period. The scale fixed for the cadre was therefore not a beginning but an end in itself (*vide* Government of India, Department of Industries and Labour letter No. 11-P. T.E. dated 13th July 1928).

4. It seems that later on, the Director-General, Posts and Telegraphs, authorised the Heads of Departmental Telegraph Offices to employ *outsiders* in the Lower Division cadre for performance of the same work of minor responsibilities as was expected of the Inferior servants promoted to the Lower Division rank. It was also open to the Heads of Telegraph Offices to employ outsiders in the ordinary Time Scale of 60— 5— 160, for the discharge of proper clerical duties. The Time Scale recruitment was resorted to in smaller Telegraph Offices and on a large scale in the Postal Department, while in the Bombay C. T. O. recruitment was made only in the Lower Division cadre.

5. The outsiders recruited in the Lower Division cadre in Bombay C. T. O., both in the scale of 58—110 and in the scale of 60—4—100, were all qualified clerks and some of them were even graduates and under-graduates. For these outside qualified recruits, however, the Lower Division cadre was not an end in itself (as it was for the promoted Inferior servants), but it was a beginning of their career in the Telegraph Department. For them the Lower Division cadre was a stepping stone for promotion to the ordinary Time Scale of 60—5—160 (also called as 'Upper Division' cadre). It may be mentioned that no direct

APPENDIX II—*contd.*

recruitment was made to the Upper Division ; but officials in the Lower Division were promoted to the Upper Division, as vacancies occurred. At that time, the ministerial strength of the Bombay C. T. O. was :—

178 clerks in the Upper Division (60—5—160) including the Leave Reserve ;

and

115 clerks in the Lower Division (58—110 and 60—100), including the Leave Reserve.

In other words there were about 66 per cent. posts in the Upper Division and about 33 per cent. in the Lower Division ; and the Leave Reserve of each was placed in the respective cadre. Under these conditions, a clerk in the Lower Division could normally expect to be promoted to the Upper Division, as soon as he reached or was about to reach the maximum of pay in the Lower Division. He was never required to halt on his maximum for any period.

6. When the revised scales were introduced in 1935, the old Lower Division and Upper Division were substituted by the new 2nd grade and 1st grade respectively. The scales of pay of these grades were 45—45—3—90 and 100—4—120. It was also decided in 1935 that the ratio between the number of operative clerks in the 1st and 2nd grade should be 50 : 50 in all Units of the Department, instead of 66 : 33 or so, which existed till that time in the Bombay C. T. O. The leave reserve was also centralised in the 2nd grade. The adjustment was to be arrived at by abolishing the excess over 50 per cent. of the posts in the 1st grade as and when vacancies occurred and until such time, men in the 2nd grade were not to be promoted to the 1st grade. (*Vide* Government of India Department of Industries and Labour letter No. Es. A-130/35/Coll. 2, dated 15th March 1935.)

7. The orders relating to the revision in the scales of pay were made applicable by the Government of India to those who entered the service on or after the 15th July 1931 and the staff employed before that date was not to be affected by the revision. The orders regarding the ratio of 50 : 50 between the number of clerks in the 1st and 2nd grade and the centralisation of the leave reserve in the 2nd grade were also intended to be applied to the Government servants who were employed after the 15th July 1931. (*Vide* Government of India, Department of Industries and Labour letter No. A.130/35/Coll. 2/15th March 1935). Yet the Director-General ordered that the old Lower Division was abolished with the introduction of the new 2nd grade and the incumbents merged into the new 2nd grade. The incumbents of posts in the old Lower Division were allowed to retain their pay in the old scale of 60—4—100 as a personal concession ; otherwise there was no difference in the conditions of service and duties of the incumbents in the old Lower Division and the personnel of the new 2nd grade. (*Vide* D..G.'s letter No. Es. A. 3/37/28, dated 4th October 1937, to the All-India Telegraph Union, Calcutta.)

8. The merging of the incumbents of the Lower Division cadre into the new 2nd grade was indeed a step on the part of Government for effecting economy at the cost of the Lower Division clerks. Because, by issuing the orders, the Lower Division clerk was automatically brought under the new conditions of service applicable to a revised 2nd grade clerk. Firstly, his duty was made interchangeable with that of the Upper Division (now called 1st grade) clerk and secondly, he was made to stagnate on the maximum of the Lower Division grade for a period ranging from 4 to 8 years, on account of the fixation of the ratio between the 1st and 2nd grades at 50 : 50.

9. I beg to submit, Your Lordship, that these orders of the Director-General are quite incorrect and illogical for the following reasons :—

(*i*) The drawal of pay in the old scale of 60—4—100 by the Lower Division clerks is inherent in the Government of India's assurance that the revised scales will not affect the personnel employed before 15th July 1931. It is not therefore a matter of special grace to the Lower Division clerks alone, but is virtually a right enjoyed by them *along with other Government servants employed before 15th July 1931.*

(*ii*) Again, if it is stated that the old Lower Division is merged into the new 2nd grade for all purposes, except to draw their pay in the old scale as an act of personal grace to them, then the natural consequence would be that a Lower Division clerk on reaching his maximum of Rs. 100 would be promoted to the new 1st grade in the scale of Rs. 100—4—120. But according to the Government's assurance, the new scales cannot be applied to those in service before 15th July 1931. The Lower Division clerks, are therefore, entitled to the old Time Scale then existing and corresponding to the new 1st grade ; and this claim of theirs has been accepted by Government.

I therefore submit that the Director-General's orders abolishing the old Lower Division and merging the incumbents in the new 2nd grade are unfair and irregular.

10. It may be argued on behalf of Government that the Government's assurance relates only to the revised rates of pay but not to any other alterations in the conditions of service effected by Government subsequent to their employment ; and the Government

APPENDIX II—*contd.*

servants even employed before 15th July 1931 must take the consequences of any alterations, modifications, abolitions or any other changes ordered by Government. This argument, I submit to Your Lordship, is also totally incorrect. During the period the Lower Division clerks were employed in the Bombay C. T. O., *i.e.*, between 1927 and 1930, the time-scale of Rs. 60—5—160 or similar time-scales were prevalent in all other Departments of Government Service and although the Lower Division clerks were employed in the scale of 60—4—100 only, they accepted the jobs because, under the conditions then existing, they expected to be promoted to the Upper Division at about the time they were likely to reach their maximum in the Lower Division (*i.e.*, within about 10 years). They did not know that their prospects of promotion to the Upper Division within about 10 years were likely to be jeopardised by the abolition of a large number of posts in the Upper Division (1st Grade), which was ordered in 1935 ; nor were they warned by Government to this effect. Had they been so warned or had they known that such a condition would arise in 1935, they would have left the services or sought employment elsewhere. In fact, when the Lower Division clerks were employed between 1927 and 1930, the Government had no intention of abolishing a large number of posts in the Upper Division and true to conscience Government must admit that the Lower Division, composed of clerks employed from outside was designed as a stepping stone to the Upper Division—now called 1st grade. This can convincingly be proved by the fact that until 1935, incumbents in the Lower Division cadre were actually promoted to the Upper Division within 10 years of their service (or even earlier). When this is so, it is very unjust for the Government to make the Lower Division clerks stagnate for quite a number of years on their maximum of Rs. 100, on account of the 50 : 50 ration and the centralisation of the leave reserve staff into the 2nd grade. By withholding the promotions of the Lower Division clerks until the adjustment of the staff to 50 : 50, Government have not only gone back on their solemn assurance that the revision would not affect the personnel employed before 15th July 1931, but have also committed a moral breach of contract, in that they have not been allowed their normal promotions in the Upper Division. Repeated demands were made on behalf of these clerks, not to bring in the 50 : 50 ratio, in the way of their promotion to the Upper Division, but they were not complied with by the Government who obviously exploited the inability of the clerks to leave the Department, after rendering over 14 to 18 years of service in the Department.

11. I claim that the Government of India's orders issued in the Department of Industries and Labour (P. and T. Branch) letter No. Es. A. 130/35/Coll. 2, dated 15th March 1935, regarding the method of apportionment of the staff according to the ratio of 50 : 50, in the 1st and 2nd grades and the centralisation of the leave reserve in the 2nd grade, were intended only to the new scale clerks, but were wrongfully and unjustly applied by Government to the Lower Division clerks in the scale of 60—4—100. This may well be proved by the fact, that some of the Lower Division clerks in Bombay C. T. O., in the scale of Rs. 58 to 110 were actually promoted to the Upper Division after the issue of these orders, *i.e.*, after 15th March 1935. It is not understood why differentiation was made only with regard to the incumbents on the scale of 60—4—100.

12. Until the year 1935 when the new scales were introduced, the two grades, *viz.*, the Lower and the Upper Division, formed two distinct cadres. As described in para. 3 above the Lower Division cadre involved the assumption of duties of a very routine nature and of minor responsibility ; while the Upper Division cadre involved the assumption of duties of a higher responsibility. Promotion from the Lower to the Upper Division was regulated (and rightly so), under Fundamental Rule 22 (*a*) (*i*). In other words when a Lower Division clerk was promoted to the Upper Division, his pay was fixed at the stage of the Upper Division, next above his pay in the Lower Division. Under the Government of India's orders [Memorandum No. PT-Es. A/130/33 (2), dated 11th March 1935] however, the duties of the two grades were made interchangeable and from that time promotion from the Lower to the Upper Division or from the revised 2nd grade to the 1st grade, was regulated under Fundamental Rule 22 (*a*) (*ii*). That is, an incumbent in the 2nd grade ceased to get a stage higher than his own pay, when he was promoted to the 1st grade. He had to stagnate for one year in order to obtain his first increment in the Upper Division. At the same time, incumbents of the Lower Division scales as also the new 2nd grade clerks, were ordered to work at any place at the discretion of the Head of the Office. The distinction of duties between the two grades was thus altogether removed.

13. The incompatibility of the principle of interchangeability of duties with the lack of a continuous scale of pay was pointed out to the Government who maintained that the principle of interchangeability was justified, because the two grades (1st & 2nd) formed a continuous time scale. It was argued on behalf of the old Lower Division clerks that the application by the Government of the 50 : 50 ratio disproved the fact of continuity of scales in actual application. The result was that, very recently, the principle of continuity of scales which did not exist so far, has been admitted by Government. In the Director General's Memorandum No. A-17-7/45 dated 17th July 1945, the revised 1st and 2nd grade scales were altogether abolished and are replaced by a continuous time scale, *viz.*, 45—45—3—90—EB—5—120. All the officials on the revised 1st or 2nd grade scales

APPENDIX II—*contd*

have been brought on the continuous scale now sanctioned, with effect from 1st August 1945. With regard to the officials on the Lower Division scales of pay who are stagnating on their maximum in that grade for over 4 to 8 years now, it has been ordered that :

> " All officials on the old Lower Division scales of pay mentioned in Rule 52 of the Manual of Appointments and Allowances will continue on their own scales till they reach the maximum of their scales when they will be brought to the corresponding old Upper Division scales of pay."

Even according to the wording as well as Government's intention behind this order, the Lower Division clerks were entitled to be promoted to the Upper Division from the date each one of them reached his maximum in that grade. Accordingly, they should have been paid all the arrears of increments and their present pay fixed in the Upper Division, by calculating the period during which they are stagnating on the maximum of the Lower Division, as service rendered in the Upper Division. Otherwise, there was no import in admitting the principle of continuity of scales, to justify the interchangeability of duties.

14. Actually, however, the Lower Division clerks have been promoted to the Upper Division from 1st August 1945, and they will draw their first increment in the Upper Division (from Rs. 100 to Rs. 105) on 1st August 1946. This obviously means that the period for which each clerk's promotion was held up, but for which each clerk has rendered satisfactory and efficient service in the Upper Division, has been ignored by Government in bringing these clerks on the so-called continuous time scales now introduced. The net result is that, although justice has ultimately been done to the incumbents on the revised 1st and 2nd grades, the Lower Division clerks, who were adversely affected by the Government's orders regarding 50 : 50 ratio still continue to suffer, financially, to the extent of the arrears of their increments plus so much of the difference of pay recurring for each month, which would accrue if their present pay is fixed by computing the period of stagnation.

Statement of Demands

15. Therefore, the nature and the extent of relief claimed by the Lower Division clerks, is that according to the principle of continuity of scales between the 1st and 2nd grades, now admitted by Government in their Memorandum No. A-17-7/45, dated 17th July 1945, the Lower Division clerks be brought on the old Upper Division, from the date each one of them reached the maximum in the old Lower Division scale, their corresponding stage of present pay be fixed accordingly and that all the arrears be paid to them.

I beg to remain,
YOUR LORDSHIP,
Your most obedient servant,
L. G. JAUR,
Honorary Secretary.

Enclosures :—(3).

TELEPHONE WORKERS' UNION, DISTRICT AND WORKSHOP (I. P. & T. DEPT.), BOMBAY, AHMEDABAD AND KARACHI ON BEHALF OF THE NON-GAZETTED OFFICIALS OF THE P. & T. DEPARTMENT

We submit below our preliminary statement as per communication received by the union from the office of the Adjudicator, New Delhi.

The union invites attention of the learned Adjudicator, to the following extract from the letter (*vide* Appendix ' A ') of the Director General dated 14th March 1946.

" As the representatives of the union have been informed the appointment of an Adjudicator, to report regarding the additional relief to the staff on the new scales of pay in the P. & T. Department affects the entire department including Telephone District and Workshops and I am advised by the Labour Department that if the Bombay Telephone Workers' Union wishes to state its case to the Adjudicator within the terms of the adjudication it will be afforded an opportunity to do so."

The union requests the learned Adjudicator to take note of the following :—

" The Government have accepted that new scales of pay which were introduced in the Posts and Telegraphs Department in the period subsequent to 15th July 1931 require examination in view of the changed condition as a result of war. Government have also taken a note of the fact that the unions maintain that additional relief to men in the new scales of pay in the P. & T. Department is necessary pending the findings of the Pay Commission." (Extracts from paras. 5 and 11 of the Government of India, Posts and Air Department Memo. No. A-17/8-46, dated 4th May 1946.)

APPENDIX II—*contd*

The great World War I, was followed by a period of boom. Thereafter, however, about 1931 depression started and continued for some years. During this latter period there prevailed acute unemployment among all classes of workers. The retrenchment and reduction in scales of Pay and privileges and other service condition became the order of the day. Full advantage was taken of this factor in re-fixing the scales of pay in 1933 by the Management of the now defunct Bombay Telephone Co., Ltd.

Thus among the staff employed by the now defunct Bombay Telephone Co., Ltd. there are at present two classes of workers in each category both doing the same kind of work, sharing the same responsibility, possessing not only the same or perhaps better qualification and yet paid at different rates on identical line with the Posts and Telegraphs Staff. These classes are (*a*) those employed before 1st March 1933 known as old entrants (*b*) those employed after 1st March 1933 known as new entrants..

The annexure No. 1 and 2 appended to this contains particulars of the rates of pay of the categories of employees except the ministerial (Superior and Inferior) employed by the now defunct Bombay Telephone Co., Ltd., before and after 1933 in Bombay, Ahmedabad and Karachi. They show the nature and extent of the changes made in the scales of Pay for those applicable to new entrants not only the minimum and maximum of the scales of Pay were re-fixed on the lowest stages but even the annual increments were considerably reduced. This statement it gives a clear idea about the relative position of the employees belonging to the same category but joining the service before and after 1st March 1933.

In the case of ministerial staff including the boy peon, sepoys, etc., the scales of Pay were formulated for the first time in 1933 (*vide* statement No. 3) taking full advantage of the then existing period of depression. The condition of service of this staff was by no means defined to arrive at any certainty before 1933. In 1933 on lines parallel to the refixation of the scales of pay of the Engineering staff—refer statement No. 2—the scales of pay were devised and regulated for the ministerial staff. This period of depression seems to have been specially selected for regulating the scales of pay of the ministerial staff taking advantage of the situation then prevailing with particular regard to employment among all classes of workers.

The union desires to express the emphatic and considered opinion that even the scales of pay which were devised for categories of employees (other than ministerial) for old entrants by the now defunct Bombay Telephone Company in 1929 for the first time in its history were quite inadequate. The employees were finding it difficult to work both ends meet. The union therefore was urging since 1941 upon the Management of the Company to formulate entirely new scales of pay on fresh lines to commensurate with the present reasonable requirements of living. It will not be out of place to point out here that the staff of the *ex*-Bombay Telephone Company being not satisfied with the now prevailing scales of pay had already called for revision of the same through the union as far back as 1941 and had to serve a notice of strike in 1942. They have so far been pacified by the union as the union did not want to embarrass the Government so long as the war was on. Now that the war is over, the demand long overdue requires to be fulfilled. It is earnestly requested that the learned Adjudicator will recommend, the nature and extent of the relief pending the findings of the Post-war Pay Commission in the light of the following among other.

During the last six years of war and a considerable time hereafter for which the war conditions will continue to prevail the Telephone staff have had their home-economy completely paralysed due to the very high cost of living on the one hand and the meagre emoluments they received on the other. It is therefore without doubt that there will require at least a corresponding period to bring their home to normal condition. The relief that might be recommended at His Lordship's hand, is hoped, will be substantial enough to allow the staff to pay a portion of the monthly emolument for the above purpose with a view to recompensate.

The situation has much deteriorated since and during the five years of the present war. Some time prior to the declaration of present war, the prices of all the necessaries of life began to rise and continued their upward trend. The attitude of the Government in the matter of grant of compensation to neutralise the high cost of living has been halting and unsatisfactory. The nature and extent of relief granted and the minimum requirement of staff in general are not met. Work of the Department has increased enormously but the adequate additional staff has not been sanctioned. The staff has to work under great pressure and under very trying circumstances.

The union begs to point out here that the condition of the staff has now reached a point where it is no longer possible for them to pull on any further. Their own health and that of their family members have been seriously and adversely affected. The social, economic and normal well-being has also considerably deteriorated. Great discontent, acute disappointment and deep sense of frustration prevails among the staff. Breaking point has already been reached. The union, respectfully submits that it will not be in the interest of anybody to postpone the grant of adequate and substantive relief of a prominent

APPENDIX II—*contd*

nature. The union therefore urges the Adjudicator to consider all the matters and make recommendations and thereby afford relief which are within the scope of adjudication.

From the above brief statement my union elicits the following conclusions:—

1. That there has been a steady rise in the cost of living from 1933 onwards with a stationary wage level.

2. That the post 1933 workers have steadily gone on loosing, the loss having been made up by indebtedness and sometimes resignations.

3. That the extent to which every average worker suffered a loss is now revealed to be very great.

My union, therefore, would submit that the whole of it should be recompensed to every worker if the ends of justice are to be maintained under the terms of reference added to loyalty, faithfulness of service rendered by the workers under extraneating circumstances in the most critical times of the existence of the Government.

As regards nature of the recompense, my union would submit that the above extent of the recompense should be spread over months by a rise in the monthly salaries of each individual over a certain period. Covering the period the Pay Commission would take, over their enquiry, their findings, their ultimate report and the Government's application to the various recommendations the Commission might make, my unior in a modest estimate puts down to about 5 years.

*MEMORANDUM**

Our union was started in the year 1941 under the regime of *ex*-Bombay Telephone Co. Ltd., and was registered under the Indian Trade Unions Act of 1926 on the 19th December 1941 under Registration No. 196. The defunct Bombay Telephone Co., Ltd. had under its jurisdiction the net work of communication in Ahmedabad and Karachi with its head office at Bombay.

2. The conditions of service and the then prevailing long standing grievances (cited at Appendix) in Bombay, Ahmedabad and Karachi affecting the staff in general resulted in the formation of this union. Under the banner of the union a constitution was drafted a copy of which is appended herewith (*vide* Appendix 'B') the aims and objects of which are as follows:—

(*a*) To promote, improve and safeguard the rights, status and privileges of the Telephone Employees and to get their grievances redressed by all constitutional means and recognised Trade Union method

(*b*) To promote friendly feelings and foster a spirit of brotherhood and co-operation amongst the members of the Union.

(*c*) To ameliorate the social, educational and economic inadequacies of the employees.

(*d*) To secure civic rights to telephone workers.

3. After repeated representations on various issues to achieve the above objects, the Managing Committee of the union waited upon the Management on several occasions to negotiate and to come to an amicable settlement. Towards the close of 1942, out of disappointment the General body was forced to declare a collective withdrawal of labour until our demands were conceded, one of which being revision of the scales of pay. The crisis, however, were averted owing to the promises given by the higher officials of the P. & T. Department, an extract of minutes is attached herewith under Appendix 'C'. The union sympathising with the Government, for the situation prevailing then did not press for the demands for revision of scales of pay having realised that that was not the proper occasion when the war was on and it was presumed that this demand would be handled by the Government immediately the war is over.

4. In April 1943 the *ex*-Bombay Telephone Co. Ltd. was acquired by the P. & T. Department and with the advent of Government the whole Telephone Co. was divided into two separate entities, *viz.*, the Telephone Bombay District and the Telephone Workshops, Bombay. It was with the effort of the Telephone Workers' Union that the services of the staff of the defunct Bombay Telephone Co. were taken over by the Government on the terms and conditions of the Telephone Co. and also on the clear understanding that except where such conditions have been or may be from time to time varied with mutual consent of employees and the Government (copy enclosed under Appendix 'D').

5. With the cessation of the hostilities, an attempt was made by the authorities to resort to mass retrenchment to the extent of 50 per cent. of the Telephone Workshops staff in Bombay in September 1945 which, however, was foiled on account of the publication of our *ad-hoc* Committee's report (*vide* Appendix 'E') providing threadbare that the retrenchment was uncalled for in Telephone Workshops, Bombay. The union succeeded in reinstating the retrenched staff, numbering about 316 out of a total of 752 employees. The Secretary, Posts and Air issued revised instructions to the Manager, Telephone Workshops (*vide* Appendix 'F'), in the light of the union's representations.

---

*Only appendices 'C'. 'D', and 'N' and "Chart F" are reproduced.

APPENDIX II—*contd.*

6. Contrary to the agreement arrived at between the union and the Government an offer was made by the P. & T. Department in January 1946 with a view to departmentalise the services of the defunct Bombay Telephone Company staff which was resented to by the entire staff on the ground that it involved a reduction of emoluments to the extent of about 25 per cent. and withdrawal of *ex*-Bombay Telephone Company privileges.

7. Out of frustration, the general staff of the telephone determined to secure the long standing legitimate grievances by resorting to a measure which would bring them a decisive answer At an Extraordinary General Body Meeting of the Telephone Workers' Union held on 20th February 1946, a resolution was unanimously passed resenting the attitude of disregard maintained by Government towards the repeated plea of the union for betterment of service conditions and security of service to all and therefore finding that all legitimate means of negotiations having been exhausted there was no recourse left open but to declare collective withdrawal of labour. The same resolution further declared that without meaning to extend the thread, the telephone workers will be constrained much against their will to cease work from 11th March 1946 unless Government are pleased to grant the telephone staff the demands attached under appendix 'G'.

8. No serious attempt for settlement was made by the Government to concede the demands to the employees till the 6th March 1946 when a reply was received from the Director-General by the General Manager as manifested in appendix 'H'. The reply as it can be seen was far from satisfactory. On the 7th and 8th of March various conflicting memos. were issued by the local Management at the instruction of the Director-General (copies enclosed under appendix 'J') which helped to deteriorate the situation. On the 8th of March, a letter was received from the local Management inviting four representatives of the union to Delhi (copy enclosed under appendix 'K'). At this instance an emergency meeting of the Managing Committee was held which passed a resolution (*vide* appendix 'L') the contents of which were communicated to the Director General on telephone by the D. T. W. and a reply secured (*vide* appendix 'M').

9. On the 12th March 1946 the representatives of the Union had an interview with the Director General, Senior A. D. G., Chief Engineer, Chief Labour Commissoner, the minutes of which are attached under appendix 'N'. Confusion prevailing in the minds of the union with regard to the appointment of Adjudicator was cleared by the Director General and Chief Labour Commissioner during the interviews which the union's representative had with them with regard to placing the case of *ex*-Bombay Telephone Company staff on new scales of pay. A written representation was submitted to Director General to get the issue further clarified on the subject of adjudication (*vide* appendix 'P'). An addendum was issued by the Direc(or General on various issues under dispute on the 14th March 1946 (*vide* appendix 'Q').

APPENDIX 'C'

EXTRACT OF MINUTES OF A MEETING OF THE REPRESENTATIVES OF THE BOMBAY TELEPHONE WORKERS' UNION, THE SECRETARY AND ENGINEER, GOVERNMENT TELEPHONES BOARD LTD. AND THE CHAIRMAN AND MANAGING DIRECTOR, BOMBAY TELEPHONE CO. LTD., HELD AT THE REGISTERED OFFICES OF THE CO. AT 5-30 P.M. ON WEDNESDAY, THE 23RD DECEMBER 1942.

Mr. Jhabwala reiterated the various claims put forward by the union and in explaining the Government's decisions thereon which had been communicated to the union, Mr. Sur particularly said :—

GRADE :—That the grades of pay of the Bombay Telephone Co. were, in fact, better than those of the Posts and Telegraphs Department ;

That on their transfer to Government the terms would be as good as those under which the staff were working under the Company and that the present time was not the occasion to revise the grades of the Company.

(Mr. Sur promised to let the union have a copy of the list shown to the representatives of the union setting out the grades of pay of the Company and Government).

APPENDIX 'D'

INDIAN POSTS AND TELEGRAPHS DEPARTMENT, DIRECTOR GENERAL'S GENERAL CIRCULAR NO. 5

Monday, 19th April 1943

Acquisition of the telephone systems at Calcutta, Bombay and Madras by Government

The Chief Officers of the Calcutta and Madras Telephone systems have been designated General Managers, Telephones Calcutta District, Bombay District and Madras District, respectively and will work directly under the Director General. The next senior officers

APPENDIX II—*contd.*

have been designated S. Engineer, Telephones in Calcutta and Bombay and E. Engineer in Madras. The General Managers to hold the rank equivalent to that of a Postmaster General, the Superintending Engineer that of a Director of Telegraphs and the Executive Engineer that of a Divisional Engineer, Te egraphs. The employees of the Licensed Telephone Companies whose services have been transferred to Government consequent on the acquisition of these systems will form a separate cadre and continue to be governed by the terms and conditions of service which were applicable to them in the employment if the Companies except where such conditions have been or may be from time to time varied with the mutual consent of such employees and Government.

APPENDIX 'N'

SUMMARY MINUTES OF A MEETING BETWEEN THE DIRECTOR-GENERAL OF POSTS & TELEGRAPHS AND REPRESENTATIVES OF THE TELEPHONE WORKERS' UNION, DISTRICT AND WORKSHOPS, I. P. & T. DEPT.

Discussions were prolonged but in summary the reply of the Director-General to the 9 demands upon which the strike notice sent by the Telephone Workers' Union has based were as follows :—

(1) Although it is accepted that the programme of work of the Bombay Telephone Company Workshops will involve continuation of the present manufacturing arrangements for at least one year and no reduction of staff is at present contemplated, the programme regarding future installations and renovations of auto exchanges in the District will necessarily be a matter for investigation and it is quite impossible to give an assurance that there will be no future retrenchment in the District and Workshops. The Director-General emphasised the fact that it is impossible for the Department to commit the future Govt. to a policy which might, in future, be rejected and it would be unthinkable to give anassurance which might not be ultimately honoured.

(2) The Director-General stated that Government are not at present prepared to introduce new grades either for the administrative, ministerial and supervisory staff or for industrial workers. These are matters consideration of which must necessarily pend until receipt of the report of the Commission which is to be set up to examine the whole question of scales of wages for the Central Government servants and other allied conditions of service. The general question of wage of industrial workers is a matter which is the concern of Government of India in the Labour Department.

(3) The Director-General explained that Dearness Allowance and War Allowance were revised in April last year and the increased allowance were made effective from 1st January 1945. In the case of lower paid employees of the P. & T. Dept. Good Conduct Pay was substantively increased and a limit of pay up to which it could be drawn was extended from Rs. 40 to Rs. 120 per month. Government are of opinion that taking into consideration the present price levels as compared with those prevailing when the allowance were last revised. There is no justification for a further increased rates of dearness and war allowances (including Good Conduct Pay) should be made effective from the 1st July 1944, instead from the 1st Jan. 1945. Thus all employees entitled will draw arrears of the difference between the new and the old rates of dearness allowance for six months.

The effect of these orders will be that every man entitled to Dearness allowance will receive a lump sum at least Rs. 24 in arrears and in addition every man entitled to Good Conduct Pay will receive a lump sum of Rs. 30. In addition to this, it has been decided to increase Good Conduct Pay with effect from March 1st from Rs. 7 to Rs. 12 in the case of employees drawing less than Rs. 40 and from Rs. 5 to Rs. 10 in the case of those drawing pay up to Rs. 120. The limit up to which this increased Good Conduct Pay can be drawn has been raised from Rs. 120 to Rs. 160 per mensem.

Finally the Director-General announced that daily-rated labour in the Telephone Workshops paid by the month will effect from March 1st be allowed to draw Good Conduct Pay. This Good Conduct Pay will be given at the rate of Rs. 12 per month for those on pay of less than Rs. 40 p.m. and Rs. 10 for those on pay of above Rs. 40 p.m. on the condition that 26 days work is performed during the month. Men who are on duty from 20 to 25 days during the month will draw Good Conduct Pay at the rate of seven annas a day, but those who work for less than 20 days will not be entitled to Good Conduct Pay unless their absence is due to serious illness or some other reasonable cause acceptable to the Manager, Telephone Workshops. In the exceptional cases of illness etc. Good Conduct Pay of seven annas a day will be paid.

The Director-General explained that staff on pay less than Rs. 40 a month will thus be drawing Rs. 20 dearness allowance *plus* Rs. 12 Good Conduct Pay in addition to receiving grain concessions to the value of Rs. 4 bringing the total benefit in the nature of Dearness allowance etc. to Rs. 36.

APPENDIX H—*contd.*

(4) (*a*) This point will be examined.

(*b*) The Director-General explained that according to orders which will shortly be issued, labour paid on monthly rates will be governed by the revised leave rules applicable to superior staff while labour paid at daily rates will according to Factories Act Amendment Act be entitled to holidays for a period of 10 consecutive days after completion of a period of 12 months continuous service. This is in addition to 20 gazetted holidays during the year and Sundays.

(5) As stated in Director-General's telegram of the 6th March 1946 the suggested scales of pay indicated by Assistant Director-General Establishments merely form a basis for discussion and are not in any way final. The Bombay Company's scales of pay will continue definitely until October 1st and a proposal is now under consideration to retain them pending receipt of the recommendation of the Pay Commission. The proposed terms and conditions to which the ex-Bombay Telephone Company staff have taken exception may be regarded as withdrawn.

(6) The Director-General explained the position with regard to reservation of posts for men with war service and stated that as far as possible qualified and efficient temporary employees of the Department would be absorbed against vacancies occurring after 1st of January 1946.

(7) The Director-General stated that this is a purely hypothetical case and at present no question has arisen of offering transfer to Jubbulpore of any of the staff employed in the Bombay Telephone Workshops.

(8) The Chief Labour Commissioner to the Government of India stated that legislation by the Labour Department of the Government of India being enacted shortly during the current session which will cover cases of this kind.

(9) The Director-General stated that the reply to this Demand is emphatically in the negative.

Regarding the strike threatened by the employees of Bombay Telephone District and Workshops, the Director-General explained that the appointment of an Adjudicator to report regarding the question of additional relief to the men on the new scales of pay in the P. & T. Dept. affects entire Department including the Telephone District and Workshops in which all men employed after the assumption of control of these organisations by Government are on the P. & T. revised scales of pay. Any strike in the P. & T. Dept. would, therefore, be rendered illegal by the order appointing the Adjudicator until two months after his report has been submitted to Government. In reply to a question by Mr. Kasbekar as to whether the Adjudicator would also consider the case of staff employed by the Bombay Telephone Company on their revised scales of pay introduced in 1933, it was stated that this would be a matter for consideration upon which no immediate reply could be given.

W. H. SHOOBERT,

Director-General of Posts and Telegraphs.

NEW DELHI,

The 12th March 1946.

APPENDIX II—*contd.*

CHART 'F'

Additional relief in wages necessary to neutralise the cost of living index. Staff in Telephones, Bombay District

Classes of Employees	New Scales of pay introduced after 1931–1933	Average Pay of Col. 2	Real Wages to neutralise cost of living index	Present Emoluments	Balance required to be made good by way of wages equalisation according to cost of living Index
1	2	3	4	5	6
	Rs.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Sweepers	4 fixed.	4 0 0	9 0 0	40 0 0	...
Sweepers	5 fixed.	5 0 0	11 4 0	41 0 0	...
Sweepers Male	8 fixed	8 0 0	18 0 0	44 0 0	...
Sweeper Female	10—1—15	12 8 0	28 2 0	48 8 0	...
Sepoys	12—1—18	15 0 0	33 12 0	51 0 0	...
Office Boys	15—1—20	17 8 0	39 6 0	53 8 0	...
Sweeper Male	18—1—24	21 0 0	47 4 0	57 0 0	...
Daftaries	20—½—28	24 0 0	54 0 0	60 0 0	...
Sepoys	20—1—28	24 0 0	54 0 0	60 0 0	...
Sweeper Male	20—1—30	25 0 0	56 4 0	61 0 0	...
Engr. Coolies	22—1—26	24 0 0	54 0 0	60 0 0	...

APPENDIX II—*contd.*

CHART 'F'—*contd.*

Classes of employees	New Scales of pay introduced after 1931-1933	Average Pay of Col. 2	Real Wages to neutralise cost of living Index	Present Emoluments	Balance required to be made good by way of wages equalisation according to cost of living Index
1	2	3	4	5	6
	Rs.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A P.
Engr. Coolies	25—1—28	26 8 0	59 10 0	64 8 0	...
Watchman	25—1—30	27 8 0	61 14 0	63 8 0	...
Messenger Coolies	25—1—33	29 0 0	65 4 0	65 0 0	0 4 0
Lineman	28—2—42	35 0 0	78 12 0	71 0 0	7 12 0
Butler	30—1—40	35 0 0	78 12 0	71 0 0	7 12 0
Lineman	30—2—42	36 0 0	81 0 0	72 0 0	9 0 0
Electrical Wireman	40—3—61—4—80	60 0 0	135 0 0	96 0 0	39 0 0
Mains Mukadam	45—1—55	50 0 0	112 8 0	86 0 0	26 8 0
Clerk Gr. 3	50—5—105	77 8 0	147 12 0	113 8 0	61 4 0
Mason	55—3—70	62 8 0	140 10 0	98 8 0	42 2 0
Clerks	55—3—80	67 8 0	151 14 0	103 8 0	48 6 0
Inst. Inspector	60—4—80	70 0 0	157 8 0	106 0 0	51 8 0
Operator Tele. Male	60—5—100	80 0 0	180 0 0	116 0 0	64 0 0

Tracers	60—5—105	82 8 0	185 10 0	118 8 0	67 2 0	
Cable Jointer	65—4—85	75 0 0	168 12 0	111 0 0	57 12 0	
Exch. Insp. Gr. 3	65—4—93	79 0 0	177 12 0	115 0 0	62 12 0	
Bl. Wiring Insp.	65—4—85—5—110	87 8 0	196 14 0	123 8 0	73 6 0	
Test Clerks	70—5—90	80 0 0	180 0 0	116 0 0	64 0 0	
Clerks Gr. 3	70—5—105	87 8 0	196 14 0	123 8 0	73 6 0	
Stenographer	70 fixed.	70 0 0	157 8 0	106 0 0	51 8 0	
Test Clerks Woman	70—5—110	90 0 0	202 8 0	126 0 0	76 8 0	
Cable Jointer Gr. 1	90—5—120	105 0 0	236 4 0	141 0 0	95 4 0	
Inst. Insp. Gr. 1	90—5—140	115 0 0	258 12 0	151 0 0	107 12 0	
Clerks Gr. 2	110—10—150	130 0 0	292 8 0	166 12 0	125 12 0	
Draughtsman Gr. 1	150—10—250	200 0 0	450 0 0	249 0 0	201 0 0	
Clerks Gr. 1.	160—10—200	180 0 0	405 0 0	225 8 0	179 8 0	
Exch. Insp. Gr. 1	160—7½—220	190 0 0	427 8 0	256 8 0	171 0 0	

BOMBAY TELEPHONE WORKSHOPS

Additional relief necessary according to cost of living index.—Staff at Bombay Telephone Workshops

Office Peons	16—1/5—18	17 0 0	38 4 0	43 0 0	...
Binder	20—1/2—28	24 0 0	54 0 0	60 0 0	...
Sweeper, etc.	20—1—30	25 0 0	56 4 0	61 0 0	...
Chaparasi	21—1—30—1—35	28 0 0	63 0 0	64 0 0	...
Cooly	Re. 1 per day	26 0 0	58 8 0	62 0 0	...

APPENDIX II—*contd.*
CHART '*F*'—*contd.*
BOMBAY TELEPHONE WORKSHOPS—contd.

Classes of Employees	New Scales of pay introduced after 1931-33	Average Pay of Col. 2	Real Wages to neutralise the cost of living index	Present Emoluments	Balance required to be made good by way of wages equalisation according to cost of living index
1	2	3	4	5	6
	Rs.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Electrical Cooly	25—1—28	26 8 0	59 10 0	62 8 0	...
Office Hamal	25—1—30	27 8 0	61 14 0	67 8 0	...
Grain Shop Cooly and others	25—1—33	29 0 0	65 4 0	65 0 0	0 4 0
Hawaldar	25—1—30—1—35	30 0 0	67 8 0	66 0 0	1 8 0
Hammerman	28—1—33	30 8 0	68 10 0	66 8 0	2 2 0
Hammerman	Re. 1 per day	32 8 0	73 2 0	68 8 0	4 10 0
Butler	30—1—40	35 0 0	78 12 0	71 0 0	7 12 0
Oiler	35—1—40	37 8 0	84 12 0	73 8 0	11 4 0
Wireman	Re. 1-8-0 per day	39 0 0	87 12 0	75 0 0	12 12 0
Liftman	35—1—50	42 8 0	95 10 0	78 8 0	17 2 0
Checker Grain Shop	40 fixed	40 0 0	90 0 0	76 0 0	14 0 0
Daily Wageman	1-12-0 per day	45 8 0	102 6 0	81 8 0	20 14 0

V/S. Lathe Operator Gr. 3	40—3—52	46 0 0	103 8 0	82 0 0	21 8 0
Plater Gr. 2	45—3—60	52 8 0	118 2 0	88 8 0	29 10 0
Turner	Rs. 2 per day	52 0 0	117 0 0	88 0 0	29 0 0
Mistry P. & T.	45—3—96—4—100	72 8 0	183 2 0	108 8 0	74 10 0
Polishman Gr. 2	50—3—65	57 8 0	129 6 0	93 8 0	35 14 0
Progress Chaser	55—3—70	62 8 0	140 10 0	98 8 0	42 2 0
Clerks Gr. 'C' Unified Scale	55—5—80	67 8 0	151 14 0	103 8 0	46 6 0
Test Clerks (Woman)	60—4—80	70 0 0	157 8 0	106 0 0	51 8 0
Turner	Rs. 3 per day	78 0 0	175 8 0	114 0 0	61 8 0
Tracers	60—5—105	82 8 0	185 10 0	118 8 0	67 2 0
Cord M/C. Operator	65—4—72	68 8 0	154 2 0	104 8 0	49 10 0
Chargeman Plating	65—5—75	70 0 0	157 8 0	106 0 0	51 8 0
Exch. Insp. Gr. 3	65—4—93	79 0 0	177 12 0	115 0 0	62 12 0
Chaser Gr. 3	65—5—100	82 8 0	185 10 0	118 8 0	67 2 0
Chargeman Polishman	70—4—82	76 0 0	171 0 0	109 0 0	62 0 0
Turner	Rs. 3-4-0 per day	84 8 0	185 10 0	120 8 0	65 2 0
Stock Holder	70—4—98—100	85 0 0	191 4 0	121 0 0	...
Clerks Grade 3	70—5—105	87 8 0	196 14 0	121 8 0	...
Shop Clerks (Woman)	70—5—110	90 0 0	202 8 0	126 0 0	76 8 0
Turner etc.	Rs. 3-8-0 per day	91 0 0	204 12 0	127 0 0	77 12 0
Asstt. Planning Engr. Gr. 3	74—16—122	98 0 0	220 8 0	134 0 0	86 8 0

APPENDIX II—*contd.*
CHART '*F*'—*concld.*

Classes of Employees	New Scales of pay introduced after 1931-1933	Average of Col. 2	Real Wages to neutralise the cost of living Index	Present Emoluments	Balance required to be made good by way of wages equalisation according to cost of living Index
1	2	3	4	5	6
	Rs.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Turner	Rs. 3-12-0 per day	97 8 0	219 6 0	133 8 0	85 14 0
Ch-man Fitter Gr. 1	75—4—95	85 0 0	191 4 0	121 0 0	70 4 0
Polishman Gr. 1	75—5—85	80 0 0	180 0 0	116 0 0	64 0 0
Turner	Rs. 4 per day	104 0 0	234 0 0	130 0 0	104 0 0
Draughtsman Gr. 2	90—5—150	120 0 0	270 0 0	156 0 0	114 0 0
Exch. Insp. Gr. 2	100—5—150	125 0 0	281 4 0	161 0 0	120 4 0
Head Chaser	100—7/7/0—160	130 0 0	292 8 0	166 12 0	125 12 0
Asstt. Foreman	100—5—120—10—200.	150 0 0	337 8 0	190 4 0	147 4 0
Engraver	Rs. 110 fixed	110 0 0	247 8 0	146 0 0	101 8 0
Mech. Asstt.	Rs. 4-4-0 per day	110 8 0	248 10 0	146 8 0	302 2 0
Asstt. Foreman	110—7 1/2—147—1/2—150.	130 0 0	292 8 0	166 12 0	125 12 0
Clerks Gr. 2	110—10—150	130 0 0	292 8 0	166 12 0	125 12 0
Asstt. Storekeeper	110—10—180	145 0 0	326 4 0	184 6 0	141 14 0

Asstt. Supervising Test Clerk	115—5—140	127 8 0	286 14 0	166 5 0	120 9 0
Asstt. Planning Engr. Gr. 2	130—10—200	165 0 0	371 4 0	207 14 0	163 6 0
Nurse	Rs. 5 per day	130 0 0	292 8 0	166 12 0	125 12 0
Watch and Ward Supervisor	150—10—200	175 0 0	393 12 0	219 10 0	174 2 0
Draughtsman Gr. 1	150—10—250	200 0 0	450 0 0	249 0 0	201 0 0
Workshop Foreman	155—10—200	202 8 0	455 10 0	251 15 0	203 11 0
Sr. Asstt. W/Shop Foreman	160—10—200	180 0 0	405 0 0	225 8 0	179 8 0
Foreman	160—7 1/2—220	190 0 0	427 8 0	237 4 0	190 4 0
Electrician	Rs. 175 fixed	175 0 0	393 12 0	219 0 0	174 12 0
Packing Foreman	Rs. 200 fixed	200 0 0	450 0 0	249 0 0	201 0 0

APPENDIX II—*contd.*

THE BOMBAY PRESIDENCY TELEGRAPH WORKMEN'S UNION

388-A, Girgaum Road,
Krishna Niwas,
Bombay, 2.

To

THE ADJUDICATOR,
Government of India, Posts & Telegraphs,
New Delhi.

SIR,

After the great war of 1914—18 when a slump ensued Government revised the scales in 1931 which are ordinarily known as the " *Revised Scales of Pay* " whose main object was to fix the wages of the workers agreeable to the new then prevailing circumstances of life. At that time even though protest was raised from all directions, Government refused to consider the fact that the workers should have better standard of life and therefore the wages under the new scales should not fall low. Our union maintained that an ordinary Task Work Messenger who got under the old scale Rs. 12 as subsistence allowance had begun to get Rs. 8 calculating the difference between the two rates at Rs. 4 the slump in the price did not warrant 1/3 reduction at a single stroke if the ideal of rise in standard of life of a deserving section of toilers like the Telegraph Messengers was to be attained. To quote another instance, a Telegraph Stores Coolie was in pre-1931 days getting Rs. 1-4-0 per day ; in post-1931 days he began getting Rs. 0-12-6, *i.e.*, he was put to a clear loss of nearly 50 per cent. per day.

2. In addition to the above question of betterment of standard of life, in the new scales there was no sense of justice, the result being that both the Task Work Messengers and the Coolies as quoted above have gone down since 1931 in the scale of life. Their death rate has increased and their shortness of life also has increased. Thus between 1931, the slump days and now, Government have gone back upon their policy of improving the conditions of life of workers. They have failed to look after the most needy members of its service and on the contrary have treated them unjustly and unfairly. The same may be said about other members of the Telegraph Service.

3. Between 1931 and now, *i.e.*, prior to the new war of 1939 the above slump of 1931 did not remain stationary . On the contrary it may be stated that Government statistics indicate that if there was no systematic and continuous rise in the cost of living there was a constant fluctuation of both rise and fall continuously tending towards gradualness of rise so that when actually the war broke out in 1939, the level of 1931 reduced beyond standard when it was first framed was far below actual requirements compared to the requirements of 1939. It may be pointed out that yet between 1931 and 1939 the wage level was kept stationary and unchanged at its low level.

4. In order to save a bad situation created by the Government in the Telegraph Department among the Inferior Servants whose interests the above union largely represents there were allowance like the compensatory allowance, etc. which had to be given to make up a loss by way of deficiency that Government knew they had inflicted by the imposition of the new scales. All the world over revisions are made in scales of earnings for a betterment but in this down-troden country such revisions were made only to exploit helpless labour who could not find a similar and suitable employment elsewhere having spent a pretty long period of life in the employ of the Government.

5. Now, Sir, when the war was on, Government sought to compensate for the injustice done by heavy reduction by giving some financial assistance in the shape of Dearness Allowance and later on Good Conduct Allowance. Taking the instance of a Munshi in the Telegraph Service under the old scales he was getting Rs. 60—4—100. In the new scale he would get Rs. 34 plus Compensatory Allowance Rs. 5 plus Housing allowance Rs.7 plus Dearness Allowance Rs. 20 plus Good Conduct pay Rs. 7 total Rs. 73. This means that when a total war was being waged the Telegraph servant got only Rs. 13 more while Government through dearness allowance and good conduct pay intended to give Rs. 32 more fully appreciating the bad position in which they had placed themselves and the workers. What was thus taken away from the actual block payment had to be paid back but particularly in the form of make-up allowances. The 1931 scales now cannot therefore be justifiably tolerated even as admitted by the Government themselves who have advanced the above allowances to make up the loss caused to the workmen.

6. The cost of living since 1941 has been always on the rise whether due to inflation or to any other causes. Our union is not specially concerned with. What admissible scale of life was prevalent prior to 1931 is far below what is necessary at present. Also the cost of living has since then greatly gone up. Our union therefore would not only want to get the pre-1931 settlement restored to all the Inferior servants but would also demand that

APPENDIX II—*contd.*

what is now being given in the form of Compensatory allowance should also continue to make up for a broad gap that would still exist after the restoration of the old scales of pay. For ordinarily a war gets over not suddenly restoring previous economic conditions in a country but it does so in course of time. Price levels do not resume their old standards in a disturbed world. The 1st world war greatly affected India and India's economy. It has even revolutionized the Indian system of life and has required even the lower grades of servants to live better and healthier. Therefore if proper quality and quantity of work was to be exacted our union would submit the accompanying tables for revisions to which your attention is invited.

7. Suffering from such injustice as narrated above our union gave a notice of strike and the Government has now been pleased to add minor reliefs such as enhancement in dearness allowance by adding to the Good Conduct Pay. This will prove that the strike notice yielded us about Rs. 5 more and some arrears of dearness allowance. It has also given an assurance of a grant of pension at the rate of half the average pay.

8. The union feels specially grateful for the latter concession but cannot agree to its incorporation into the enahancement of a gift for it was over-due. Many a poor and deserving inferior servant has passed away without getting this well-deserved gift. The union fought for the adoption of the above scale of pension for years past and could not get justice down to the present day when a necessary gift had to be made by the Government under some form or another when actual notice of strike was served. Therefore, Sir, the only new grant that the Government have been pleased to make is Rs. 5 addition in the Good Conduct Pay which to the post-1931 Revised Grades is not a proper, suitable and just addition.

9. The union therefore begs that the Government's above grant should be replaced by such a one as is pointed out in the scales drafted in the accompanying statement.

I have the honour to be,

SIR,

Your most obedient servant,

B. B. RANE,

Honorary Secretary.

CASE BEFORE ADJUDICATOR

Cadre of Official	Old Scale	New Scale	Difference
			Rs. A. P.
1. Munshi	60—4—100 D. A. 22 C. Pay 10 H. A 6=98	34 C. A. 5 D. A. 20 G. C. P. 12 H. A. 7=78.	20 0 0
2. Line Men	20—1—40 C. A. 10 G. C. P. 12 H. A. 7 D. A. 22=71	24—½—34 S. A. 5 D. A. 20 G. C. P. 12 H. A. 7 =68.	3 0 0
3. Tale. T. W. N.	12—½—17 T. W. E. 12 G. C. P. 12, H. A. 7 D. A. 20=63.	8—1/5—10 T. W. E. 9 G. C. P. 12 H. A. 7 D. A. 20 =55.	8 0 0
4. Asstt. Mechanic	60—5—130	45—3—96—100 D. A. 22 G. C. P. 10.	15 0 0
5. Mistries	60—4—100 D. A. 22 G. C. P. 10=92.	45—5—96—100 D. A. 22 G. C. P. 10.	15 0 0
6. Asstt. Mistry	.....	25—1—45 Rs. 20 G. C. P. 12.	New Scale.
7. Battery Men	25—½—30 D. A. 20 G. C. P. 10 H. A. 7=62.	16—1/5—18 H. A. 7 D. A. 20 G. C. P. 12 C. A. 4=59.	3 0 0

APPENDIX II—*concld.*

CASE BEFORE ADJUDICATOR—contd.

Cadre of Official	Old Scale	New Scale	Difference
			Rs. A. P.
8. Wire Coolie .	25—½—30 D. A. 20 G. C. P. 10 H. A. 7=62.	16—1/5—18 H. A. 7 D. A. 20 G. C. P. 12 C. A. 4=59.	3 0 0
9. Sub-Inspector .	45—5—110 D. A. 22 G. C.P. 10.	40—5—100 D. A. 22 G. C. P. 10	5 0 0
10. Foreman of Stores Branch.	.....	Rs. 5—daily 17½ per cent. D. A.	...
11. Cycle Mechanics	35—20—12 . . .	25—20—12 . . .	10 0 0
12. By hand Peons	25—½—30 . . .	16—1/5—18 . .	9 0 0
13. By Peons .	18—20—12 . .	12—2—20—10 . . .	6 0 0
14. Coolies . .	Rs. 1/4 per day . .	1/1 per day . . .	0 3 0

NOTE.—In the accompanying table of scales whatever difference is pointed out between the old and new scales of pay must be granted to the employees under new scales of pay.

APPENDIX III

(*See* CHAPTER I)

Replies of the D. G. P. & T. to the Unions' Statements of Demands

Memorandum from the Federation of Post & Telegraph Unions contains three demands :—

1. (*a*) A Personal Allowance equivalent to the difference in the remuneration, (excluding Dearness Allowance and Good Conduct Pay) which the staff are now receiving and which they would be receiving had they been recruited and granted increments in corresponding old scales of pay, such allowance to be paid with effect from April 1, 1944.

   (*b*) A Personal Allowance proportionate to the average allowance above, to those employees serving in cadres which were introduced after the year 1931, such allowance to be paid with effect from April 1, 1944.

2. A Compensatory Allowance based upon, and linked to, fluctuations in the cost of living on the scale set down in the Table in para. 21, such allowances to be paid from April 1, 1946.

2. The demand for the restoration of old scales of pay which were introduced during 1926-28 is based on the claim that the current scales of pay were introduced when the cost of living was the lowest and that they are now utterly inadequate for the present day conditions. It is admitted that the 1931 scales of pay were fixed when the cost of living was low ; but this was in no way unnatural when the cost of living went down consistently from 155 in 1926 to 100 in 1935. This decline in the cost of living made the 1926 scales of pay as unreal in 1935 as the conditions of today have made the 1931 scales unreal, giving rise to a demand for their revision. It must be remembered here that no economic state in any country is permanent; and as periods of boom are followed by periods of slumps and *vice versa*, no scales of pay fixed during any period can be considered permanent ; when revised scales of pay were introduced in 1931, it was only to bring them in line with the cost of living and the general level of wages prevailing then and not with the idea of making them permanent for all time to come.

3. The Department also admits that the 1931 scales have become unreal today, and relying on this admission, the Federation has urged that those who are on the 1931 scales of pay should, as a first measure of relief, be brought on to the pre-1931 scales of pay. Apart from the fact whether such a course would constitute a fair relief, it may be mentioned here that, granting that the 1931 scales of pay should be replaced, why should they be replaced by 1926 scales of pay, even temporarily, since those scales of pay were fixed for

APPENDIX III—*contd.*

a certain set of circumstances which do not exist today ? This part of the demand is therefore, not based on susbstantial grounds but perhaps merely on sentimental grounds because a part of the staff continues to draw old scales of pay. When the revised scales were introduced in 1931, ordinarily all the employees, old and new, should have been brought on to those scales ; but as a mere personal concession, Government allowed those employees who had entered service before the 16th July, 1931, to continue to be governed by the scales of pay on which they were recruited. Thus the old scales which continue merely as a personal concession to those who were governed by them, cannot be claimed by others.

4. Government have already stated in para. 4 of the P. & A. Department letter No. A. 17-8/46, dated the 4th March, 1946, that they do not consider it desirable to give relief to new entrants by restoration of old scales of pay. The Department has also given very careful consideration to the alternative demand for the grant of personal pay mentioned in the Federation's Memorandum and have come to the conclusion that if the relief to new scale men is given, either wholly or in part, in this form, it will give results which will be unreal for the present day conditicns and thus its operation will be unfair. For instance on restoration of the old scales of pay on a point-to-point basis, a packer, peon or other inferior servant in the 16th year of service in Bombay and Poona would get Rs. 8 more and his confreres in Calcutta and Madras only Rs. 5. The benefit in the case of United Provinces towns and Ootacamund would be an insignificant sum of Rs. 3, in the case of Dacca, Darjeeling, Shillong, Jubbulpore and Nagpur it would be Rs. 4 while the packer in Punjab towns would get Rs. 6. The increase in Ambala would be Rs. 7, while U. P. rural areas and Central Circle men would only get Rs. 3. The case of postmen would be no better since the postman in Bombay, Calcutta & Madras would get Rs. 9, while his confrere in Poona would get Rs. 16 and in Karachi, Ahmedabad & Baluchinstan Rs. 14. The postman in Ranchi, Jubbulpore and Ambala would get Rs. 10. The postman in the mofussil areas whose old scale of pay was only Rs. 18—1—38 would get Rs. 8, while the postman whose old scale of pay was much higher, *viz.*, Rs. 25—1—45, would only get Rs. 9.

5. The other anomaly of the restoration of old scales of pay would be that while men with longer service would benefit to some extent—which is not much as shown above—their confreres who are entering, or have just entered, service would get practically nothing, for instance, a packer in Calcutta and Madras would get only Rs. 2 more and in 'C' class stations he will get nothing if he is put on the old scales of pay. In the case of Jamadars in Madras, the application of the old scales of pay would have a very interesting effect : those with 5 year's service would benefit to the extent of Rs. 7 while their confreres with ten years' service would get only Rs. 4 more while those with 15 years to their credit would get only Rs. 2. In the case of Boy Peons except in a few places they would not benefit at all by the application of old scales of pay.

6. Finally, in a scheme of relief of this kind, greatest attention should be paid to the minimum wage, because those are the people who have no margin to adjust their budgets to the high cost of living. The restoration of old scales of pay, or any variation of it, will operate most unfavourably in this respect as the lower paid employees would benefit to a very insignificant extent compared to those in the higher cadres. While a packer will benefit from Rs. 3 to Rs. 8 a month, a postman from Rs. 8 to Rs. 14, employees in the clerical cadres would benefit to the extent of Rs. 33 to Rs. 48 for the same length of service, *viz.*, 15. A scheme which operates unfairly from place to place, from employee to employee and from cadre to cadre, cannot be considered a desirable scheme for giving relief to a large number of employees dispersed in the various parts of the country.

7. The unreality of the 1931 scales today is entirely due to the conditions created by the intervention of the war in 1939. This assumption is supported by the findings of the Rau Committee who have stated in their report that ' although there was a slight upward trend (in the cost of living index) from 1933-34 up to 1937-38, there was a steep and steady downward trend from 1926-27 up to 1933-34 and that there was again the beginning of downward trend between 1937-38 and 1938-39. It cannot, therefore, be asserted that the average figure for 1939-40 would have been any thing more than 164 if the war had not intervened ; indeed, judging from the previous tendencies, it might well have been less." The Department, therefore, feels that the remedy lies in a review of the existing conditions in all their aspects and the fixation of pay and wage in accordance with the findings of such a review. In fact Government have already appointed a Pay Commission to go into the matter.

8. With regard to the second demand that the personal pay proposed for men on new scales of pay should also be considered applicable to employees in cadres which were created after 1931, it is admitted that the scales of pay for these cadres were fixed on the general level of the 1931 scales of pay and that in most cases, the scales of pay fixed for them were the revised scales of pay of analogous categories. But the fact remains that there is no old scale of pay which means pre-1931 scale in this case and as such the question of grant of old scales of pay does not arise in this case. The argument that the old scales of pay

APPENDIX III—*contd.*

attaching to the analogous cadres whose new scales were granted to them, should be considered as their old scales would also be fallacious and cannot be admitted by the Department. In effect, the demand amounts in this case to a revision of the scales of pay and, as such, is outside the terms of reference. It is submitted that this is an additional reason why relief for the high cost of living should not be based, wholly or in part, on the difference between the 1926 and the 1931 scales of pay as this class of officials would be left out from the scheme.

9. With regard to the third demand, namely, compensatory allowances being based upon, and linked to, fluctuations in the cost of living, it is submitted that since reliable cost of living indices are available only for a small number of places and as they are generally based on calculations and weightages different from province to province, it is not possible always to link the payment of dearness allowance to these figures. The payment of dearness allowance has, therefore, been fixed in the light of the general course of prices and the intention is to see that the increased cost of living is not met by the employees in the lower income groups by lowering their standard which would result in detriment to health or efficiency.

10. The sliding scale of compensatory allowance suggested by the Federation at page 11 of the memorandum will operate so unfairly that the Department cannot consider its adoption. Its application will result in the postman who joined on 15th July 1931, in an area carrying a scale of Rs. 20—1—40, getting Rs. 39 as compensatory allowance while his colleague joining on the same date, in an area carrying a scale of pay of Rs. 23—1—43, would get Rs. 91. The anomaly goes even further, since a packer on the old scale of pay, on promotion to postman's grade, would get Rs. 39 if he has put in 4 years' service in the latter grade, and Rs. 91 if he has put in 5 years' service. What is, however, considered still more inequitable is the case of the fresh recruit in the clerical cadre who would be entitled to compensation of Rs. 91 on his pay of Rs. 38, making his total emoluments 339 per cent. of his basic pay against cost of living index of 230. Moreover, according to the Federation's scheme, a clerk in Bombay who joins today, will straight away get a start of Rs. 151 (pay Rs. 55+dearness allowance Rs. 91 compensatory allowance Rs. 5) which seems to be out of all proportions to the needs of the case. The scheme, being extravagant in some cases and unfair in its operation in a large number of cases, should not be accepted.

11. The Federation's Memorandum contains (Appendix III) a typical budget of middle class family consisting of husband, wife and two children by which it is proposed to prove that while the expenditure came to Rs. 89-5-1 in the budget in 1939, it had risen to Rs. 262 in December 1945. (The latter figure has been arrived at by adding Rs. 25 to the budgeted expenditure of Rs. 89 and raising the total in the proportion of 100 : 230). From the statement of expenses which are reported to be for 'C' area, it appears that the cost has been highly exaggerated in both cases and in the latter case the addition of Rs. 57 is not justified on any grounds. On the basis of correct prices, the total expenditure comes to Rs. 39 for 1939 and Rs. 90 for the current period. The statement attached to this memorandum gives comparative figures based on the prices as given by the Federation and as ascertained by the P. & T. Department. Dr. Aykroyd's formula, which is generally accepted for the purpose of calculating the cost of living and which is based on prices in 1939 has also been included in the statement for the purpose of the above comparison. Prices in 1945 as given by the Federation are also not correct as in some cases they are higher while in other cases lower, than the actual prices.

12. The above statement shows that the expenditure on food in 1939 on the basis of prices ascertained by the P. & T. Department comes to Rs. 17-12-9 for 'C' area; this agrees with the calculations of Dr. Aykroyd in which case the cost comes to Rs. 16-2-6 for Bombay. As Bombay was, and still is, notorious for its heavy cost of living, the cost under Dr. Aykroyd's formula for 'C' areas in 1939 could not be more than about 11. The difference between Dr. Aykroyd's formula and the P. & T. Department figures is explained by the fact that while the former applies to working class families, the latter applies to an average middle class family. The Federation's figure of Rs. 59-15-0 is out of all proportions to the scale of prices prevailing in 1939.

13. For the year 1945, the cost worked out by the Federation comes to Rs. 140-1-6 for food, while that worked out by the P. & T. Department comes to Rs. 52-14-6. As the latter is based on the prices actually current, there can be no question about the correctness of the P. & T. figure.

14. The overall expenditure as calculated by the P. & T. Department comes to Rs. 39 for 1939 and Rs. 90 for 1945. The expenditure in both cases has been calculated on the basis of balanced diet and the full needs of the family as set out by the Federation. No allowance has even been made for the fact that many things had been, and still are, in short supply, with the result that every one is presumed to make sacrifices in regard to his consumption and, therefore, the actual increase in the budget of such a family is not always the same as calculated on the basis of increased prices.

APPENDIX III—*contd.*

15. It must be considered here that in the case of officials on clerical time-scales of pay, where the margin between the minimum and the maximum is considerable, gradual increase in expenditure on account of increase in the family is provided for in the shape of increments, which, however, is absent in the case of those whose scale of pay has a small margin between the minimum and the maximum. For this reason, in calculating the expenditure of Postmen and allied cadres and the Lower Grade staff, the minimum pay should cover the cost of the average family which is three adults; but in the case of the higher grades, the minimum should cover the cost of a comparatively smaller family and not the average family. The latter budget should, therefore, be based on a family of two members The Department, however, feels that it would yield much fairer results if, instead of this the calculation is based on the average pay for income and the average family for expenditure.

16. On this basis, it would seem that the average pay of Rs. 75 was more than enough to cover the expenditure of Rs. 39 in 1939; or that the expenditure of Rs. 26 for a family of two was also similarly covered by the minimum of Rs. 35. At present, with the addition of dearness allowance and Good Conduct Pay, the total emoluments on the basis of average pay come to Rs. 101 which is sufficient to cover the expenditure of Rs. 90 at current prices also the minimum of Rs. 64 is enough to cover the expenditure of Rs. 60 for two persons.

17. With regard to the family budget of the working classes it is not known to what categories this term is being applied so far as the P. & T. Staff goes; presuming, however, that this includes lower grade staff, it is submitted that in reply to a demand from the All-India Postal & Lower Grade (including R. M. S.) Staff Union, the Department has explained how the minimum emoluments cover the family budget of such classes. The same remarks apply here in reply to the demand of the Federation that the minimum emoluments in their case should be Rs. 92.

APPENDIX III—*contd.*

Comparative Budget of a typical middle class employee with a wife and two children

Items of expenditure	Qty. in seers as adopted by			Cost in 1939 as calculated by				P. & T. Department		Cost in 1945 as calculated by			
				Federation		Dr. Aykroyd in Bombay				Federation		P. & T. Department	
	Federation	Dr. Aykroyd	P. & T. Department	Rate	Cost	Rate	Cost	Rate	Cost	Rate	Cost	Rate	Cost
Dal—													
Dal Masur			2	0 3 5	1 11 6	0 2 1	1 1 1	0 1 6	0 3 0	0 6 6	3 4 6	0 5 3	0 10 6
Dal Urad			2					0 2 6	0 5 0			0 8 0	1 0 0
DalMoong	8·1	8·1	2					0 3 0	0 6 0			0 7 0	0 14 0
2. Cereals—													
Wheat			13·5					0 1 0	0 13 6			0 4 0	3 6 0
Rice	27	40·8	13·5	0 2 5	4 1 0	0 1 6	3 13 3	0 2 9	2 5 0	0 4 9	7 15 6	0 4 6	3 13 0
Jowar, Bajra	8·1		4	0 1 7	0 12 6			0 1 0	0 4 0	0 3 9	1 14 0	0 3 0	0 12 0
3. Vegetables—													
Leafy		10·8	9	0 2 3	3 7 0	0 1 0	0 10 9	0 1 1	1 8 0	0 10 0	15 0 0	0 6 0	8 4 0
Non-leafy	24·3	16·5	13			0 0 11	0 15 0						
4. Fruits		5·4	5·4		7 8 0	0 1 0	0 5 5	0 3 0	1 0 0		19 11 0	1 0 0	5 0 0
5. Animal Products—													
Ghee			1					1 1 0	1 1 0			3 8 0	3 8 0
Oil, etc.		5·4	5			0 4 10	1 9 9	0 4 3	1 5 3			0 15 0	4 11 0
Milk	54	21·9	32	0 9 0	30 2 6	0 4 3	5 11 9	0 2 0	4 0 0	0 12 6	42 3 0	0 6 0	12 0 0
6. Tea, etc.—													
Sugar, condiments, tamarind, chillies, etc.					8 7 0				2 0 0		42 0 6		4 0 0
7. Fuel—													
Firewood	160		160		1 14 0	13·84%			2 0 0		3 15 0		4 0 0
Charcoal	14				0 7 7	of items	1 15 6				2 6 0		
Lighting	(4 bottles Kerosene)				1 8 0	1 to 5	0 2 6		0 10 0		1 12 0	0 4 0	1 0 0

Total items 1—7					59	15	1			16	2	6			17	12	9			140	1	6			52	14	6
8. Clothing					7	2	0								5	0	0			18	11	0			14	0	0
9. House-rent					12	0	0								4	0	0			18	0	0			5	0	0
10. Miscellaneous—																										
(*a*) Scavenging, sweeping, etc.					3	8	0								0	8	0			7	8	0			1	0	0
(*b*) Dhobi, Washing, etc.					2	8	0								2	8	0			6	8	0			4	0	0
11. Other Miscellaneous items					4	4	0								9	0	0			14	1	0			13	8	0
					89	5	1								38 or Rs.	12	9			204	13	6			90	6	6

Notes.—1. Rates adopted by P. & T. are mainly those suggested by Economic Adviser to the Government of India.

2. Quantities adopted by P. & T. are based on the averages of the quantities mentioned in "Nutrition" Bulletin No. 1, *vide* Appendix II of Federation Memo.

APPENDIX III—*contd.*

The memorandum from the General Secretary, the Union of Posts, Telegraphs and R.M.S. (India), Delhi contains a prayer to the Adjudicator that in view of what is contained in the memorandum, he should give an award to raise the scales of pay of the new entrants to give them a living wage and to grant additional Dearness Allowance and Good Conduct Pay to completely neutralize the high cost of living. It is submitted that revision of the scales of pay is outside the scope of the present adjudication.

2. With regard to an increase in dearness allowance and Good Conduct Pay, it is submitted that there is no justification for such increase as submitted in the reply to a similar demand from the Federation. Family budgets included in the memorandum are extravagant and based on consumption in excess of the scales given by the Federation and far in excess of those considered sufficient for a balanced diet. The budgets also include extravagant expenditure on certain luxuries and the Department cannot, therefore, accept them as correct or reasonable.

The memorandum from the All-India Postmen & Lower Grade (including R.M.S.) Staff Union states that such of the demands contained in the list annexed to the notice of strike given by the union on the 12th February, 1946 to the Director-General of Posts & Telegraphs, as come within the scope of the terms of reference to the adjudication, should be awarded. A copy of the list of demands has been attached as Annexure 'A' to the statement of the union. A perusal of this list of demands and a copy of the resolution passed by the All India Postmen and Lower Grade (including R.M.S.) Staff Union held at Madras on the 16th October 1945 which is referred to as demand No. 12 in the list of demands, show that only items 6 &8 of the list of demands come within the terms of reference to adjudication. These are the only two items therefore which need be considered during the adjudication proceedings.

2. With regard to the demand No. 6 which asks for adequate increase in the dearness allowance, the memorandum says that those employees who are on the revised scales of pay are entitled to a two-fold relief, namely, (*a*) restoration to the pre-1931 scale on a point-to-point basis; or in the alternative, to a money compensation equalising their emoluments to those of old entrants for equal length of service; and (*b*) payment of the difference between their emoluments [as calculated under (*a*)] and the total minimum requirements for a reasonable standard of living on the basis of a family of 4 persons.

3. The demand for restoration to the pre-1931 scale has been dealt with in the reply to a similar demand from the Federation of P. & T. Unions and the same remarks apply here.

4. The other claim on behalf of the new entrants is an increase in emoluments to enable them to meet the higher cost of living which has arisen during the period 1939-46. The union has claimed that the total emoluments of the new entrants should be such as to give them a reasonable standard of living on the basis of a family of 4 persons but does not say what this difference amounts to. The memorandum, however, mentions that according to the findings of the Textile Labour Enquiry Committee the minimum basic wage for an Industrial worker in the City of Bombay was Rs. 50 to 55 with the cost of living index at 105; on that basis, the minimum basic wage would be in the neighbourhood of Rs. 120 for an industrial worker in Bombay City on the present cost of living. The Postmen class and some of the Lower Grade Staff, the memorandum argues, are more literate and are drawn from among a higher social class than the ordinary industrial worker in Bombay, and, therefore, a very substantial relief is necessary to the Postmen and Lower Grade Staff in Bombay City, and proportionately in the other areas by way of further relief.

5. The average family consists of 3 adult rations and not 4 as assumed by the Memorandum. This is borne out by some calculation recently undertaken by Government regarding the average number of persons in a family and the results show the following averages :—

	Average No.
Bombay City	3·59
Ahmedabad	4·07
Sholapur	4·81
Jagaddal	4·54
Jharia	4·34
Giridhi	
Bokharo	
Cawnpore	3·42
Nagpur	4·54
Madras	6·03

APPENDIX III—*contd.*

It was therefore considered that the right size of the family would be at 3 adult rations which would include the employee, his wife and two children. This is the average size adopted in 1940 by the Court of Enquiry constituted under the Trade Disputes Act, 1929, to investigate the question of dearness allowance for Railway employees. The Federation's memorandum also takes the average family to consist of 3.

6. With regard to the reasonable standard of living mentioned in the memorandum, it is submitted that the standard of living that can be considered is the identical standard of living in vogue at the outbreak of the war as in a total war like the last one where supplies and services were restricted, there could be no question of an improvement in the standard of living and in fact every one had to lower his standard. Since the same conditions obtain today, the standard to be considered would necessarily be the standard of 1939.

7. The demand to base the remuneration on the findings of the Textile Labour Enquiry Committee is based on a great fallacy as it compares a Government servant with security of service, leave, pension and other privileges like uniforms, etc., to an industrial worker without any of these privileges. It is submitted that this is not a correct basis.

8. The memorandum submitted to the Postal Enquiry Committee, 1944 on behalf of this Union stated in statement No. 15-A at page 56 of the memorandum that the total minimum cost of maintaining a family of 4 adult members in Bombay comes to Rs. 52-1-0 excluding rent, clothing, medicines, education, train or tram fares, travelling expenses for visit to his native place, soap, barber, bidis. If the extra fourth ration is deducted from this sum the cost of maintaining the average family of three would be Rs. 39, excluding the items mentioned above. This figure relates to 1944 when the average of the working class cost of living index was 237·75; at present the index figure is above 230 and it may, therefore, safely be assumed that the cost would be the same. The minimum wage in Bombay at present is Rs. 59 *plus* Rs. 4-5-0 by way of food concession, a total of Rs. 63-5-0. There is, thus, no case for any further relief even on the basis of the figures supplied by the union themselves.

9. The same results are obtained by the application of the investigations made by Dr. Aykroyd, Nutrition Expert (Director of Nutrition Research Laboratories, Coonoor), who has established *vide* his Health Bulletin No. (1938 edition) that the cost of a balanced diet in Bombay was Rs. 5-6-0 per head in August, 1939. Assuming that the cost has increased from 100 to 230 the cost of balanced diet for a family of 3 would be Rs. 5-6-0 × 3 × 230/100 = about Rs. 37. This is very near to Rs. 39 given by the union, and proves that the minimum wage of Rs. 63 allowed to the P. & T. Staff in Bombay more than compensates them for the higher cost of living.

10. During 1944, the Government of India undertook an enquiry in Calcutta and on the basis of family budgets of 600 poorer families; it was found that items other than food in the budget amounted to 25% of the whole budget. This also supports the view that if the cost of food is Rs. 40 other expenses in the family budget should cost Rs. 13—total Rs. 53. But when the minimum wage is Rs. 63-5-0, there can be no question of extra relief even on the facts and figures on which the union has relied.

11. With regard to Demand No. 8, namely, arrangements for the supply of foodgrains and other necessary supplies at concessional rates at all places on the same lines as those made by the Railways, the Department has discussed this point in reply to the memorandum submitted by the Indian Posts & Telegraphs Muslim Union, Bombay, and the same remarks apply to this case.

12. With regard to the report of the Postal Enquiry Committee Government have treated it as a confidential document and have claimed the privilege of a confidential document against its production. Since the document has not been published, the union have no means of challenging anything based on its contents.

The statement filed by the All India Telegraph Union contains the following prayers for the Adjudication :—

(1) The terms of reference should be enlarged so as to include in the adjudication the following cases :—

(*a*) Old Lower Division clerks who were merged in the newly constituted 2nd Grade cadre introduced from 1931;

(*b*) Employees of the private companies like the Bengal Telephone Corporation Ltd., which were acquired by Government in 1943.

(2) The paying capacity of the Department should not weigh in determining the amount of relief which may be recommended;

(3) Any amount granted for the purpose of relief under the adjudication should be considered as 'Pay' for the purposes of calculating pension, gratuities, etc.,

APPENDIX III—*contd.*

(4) The Telegraph Service should receive special treatment.

2. These prayers end in the following demands :—

(*a*) The distinction between 'A', 'B' & 'C' areas should be abolished and the relief granted on the basis of replacement of the new scales of pay by the old scales on the point-to-point system, for the subordinate employees.

(*b*) In the case of ex-employees of the acquired Telephone Companies, the relief should be on the basis of the grant of all withheld increments of pay and benefits of normal promotions, with special consideration for those classes of employees whose pay scales are lower than the P. & T. scales of pay, but have to perform similar or corresponding duties.

(*c*) The pay as determined on the above basis should then be supplemented by compensatory allowance at a rate not lower than Rs. 3 per diem, subject to the minimum total emoluments of Rs. 100 per month for the lower paid employees.

(*d*) Special relief at the rate of 25% of pay for employees in the Bengal & Assam Circle where the impact of the war and the famine created an abnormal situation. An additional strain on their income followed on account of the removal of their families from non-family areas and for the maintenance of double establishments for prolonged periods.

(*e*) Neither the scales of pay nor the relief granted in the shape of dearness allowance took any account of the additional expenditure which employees at hill stations have to incur for protection against climatic conditions. Additional relief is therefore claimed for telegraph employees in such places.

(*f*) The minimum pension should be fixed Rs. 30 in the case of all Inferior servants.

3. With regard to the first prayer, namely, the inclusion of the old lower Division clerks in the adjudication, the position has been made clear in the Department's reply to a similar demand from the All-India Telegraph Union, Bombay Branch, wherein it has been shown that these men are on scales of pay fixed before 1931 and, therefore, cannot be considered as employees on the revised scales of pay. It is, therefore, submitted that this prayer is outside the terms of reference.

4. With regard to the demand connected with the employees of the ex-Telephone Companies taken over by the Department from 1st April, 1943, only those employees who have been entertained after this date on the new rates of pay (1931) come within the terms of reference to the adjudication and any demands made on their behalf can be considered. Ex-employees of the defunct Companies, who still retain their own scales of pay, do not come within the scope of the adjudication.

5. With regard to the second prayer, it is urged that any relief granted by the Department must depend on the capacity of the Department to pay, as otherwise it would mean a burden on the general tax-payer, which is opposed to the general policy enunciated by Government with regard to the working of the Department, *viz.*, that the Department, as a whole, should pay its way.

6. The prayer that the relief granted under the adjudication should be considered as 'pay' for the purpose of calculating pensions, gratuities, etc., will not generally benefit any of the officials on the new scales of pay as none of them would be due for retirement by the time the findings of the Pay Commission are known ; and therefore, this prayer should not be considered for the purpose of this adjudication.

7. With regard to the demand for special treatment to the Telegraph service on the ground that the workers are employed on a public utility service and have to put in long hours of duty without any holidays, it is stated that the nature and conditions of work of each category is taken into account in fixing the scale of pay and other concessions like casual leave and overtime allowance.

8. With regard to the demands mentioned in paragraph 2 above, it is urged that the one relating to the removal of distinction between 'A', 'B' and 'C' areas cannot be accepted as it is the basic essential of the current scales of pay ; any removal of this distinction at this stage would result in great confusion.

9. Demand for the restoration of old scales of pay has been dealt with in the reply to the Memorandum of the Federation and the same remarks apply here.

10. As stated in para. 4 above, ex-employees of the defunct Telephone Companies do not come within the terms of reference and, therefore, the points raised in para. 2 (*b*) do not arise.

11. The claim for the compensatory allowance at a rate not less than Rs. 3 per diem, subject to the minimum total emoluments of Rs. 100 per month for the lower paid employees, is extravagant and out of proportion to the increase in the cost of living and cannot be

APPENDIX III—*contd.*

admitted by the Department. According to the investigations made by Dr. Aykroyd, the cost of a balanced diet was Rs. 5-6-0 per head in August 1939 in Bombay. [This figure is substantially supported by the family budget put by the All-India Postmen and Lower Grade Staff (including R.M.S.) Union, before the Postal Enquiry Committee]. Assuming the average family to consist of three adult members, the revised scale of pay of the lower grade staff, *viz.*, Rs. 16—18, Rs. 15—17 and Rs. 14—16 in 'A' 'B' and 'C' localities, respectively, *plus* house rent and compensatory allowances in certain places, must be considered quite sufficient for the period up to 1939. Assuming for the sake of argument that the increase in cost of living is 230% as urged by the Federation, the minimum wage at present should be Rs. 33 in 'C' areas and Rs. 46 in Bombay. This shows not only that the compensation claimed in the memorandum is extravagant and unjustified, but also that the existing relief, which bring the minimum remuneration in 'C' group localities at Rs. 40 and in Bombay at Rs. 63 is quite fair and just.

12. Claim for special relief at the rate of 25% of pay for the employees working in Bengal and Assam Circle is based on conditions which no longer exist. It is submitted that when those conditions did exist, the P. & T. employees in Bengal & Assam Circle were allowed several concessions in the form of militarisation allowance, uniform allowance, ration allowance, etc.

13. Additional relief for telegraph employees in hill stations is based on a misapprehension of the case as in classifying areas for the purpose of pay and dearness allowance, the cost of living in hill stations has been given due consideration and most of them are included in 'B' areas. Besides, other allowances like compensatory allowance, winter allowance, fuel allowance, etc., are also granted wherever justified.

14. Demand for a minimum pension of Rs. 30 should not be considered for the purpose of this adjudication as none of the officials on the revised scales of pay would be due for retirement before the findings of the Pay Commission.

15. The Department draws pointed attention to the Annexure 'A' of the Memorandum which contains a statement showing indebtedness (of the employees) to the Co-operative Credit Society Ltd., Central Telegraph Office, Calcutta. It shows that the average loan, per head, per annum, increased from Rs. 345 in 1939-40, to Rs. 593 in 1941-42, but since then it has consistently declined and stands at present at Rs. 541. Without prejudice to the right of the Department to challenge the statement, it is pointed out that the figures furnished in the Annexure indicate that the Department's scheme of relief which has helped the employee to reduce his indebtedness, must be considered as fully adequate.

The statement filed before the Adjudicator by the All-India Telegraph Union, Bombay Branch, contains the demand that the ex-Lower Division clerks of the P. & T. Department should be brought on to the old Upper Division scales of pay from the date on which each one of them reached the maximum in the ex-Lower Division scale, their corresponding stage of present pay being fixed accordingly, and that all the arrears due on refixation of pay on the above basis be paid to the officials concerned.

2. The Lower Division Clerks' cadre, referred to in the Memorandum, was introduced in 1927, in addition to the clerical cadre existing then which was renamed the Upper Division Cadre. It continued till 1931 when both the Upper Division and Lower Division Cadres were reconstituted into the 1st and 2nd Grade cadres on the revised scales of pay. The Upper Division scales of pay were Rs. 35—135, Rs. 40—140, Rs. 50—150, Rs. 40—150, Rs. 45—145, Rs. 50—150 and 60—160, depending on the cost of living of the locality concerned; the Lower Division cadre started on the same minimum, but with a lower maximum and the rate of increment reduced by Re. 1 the previous being Rs. 5 and Rs. 6 according to localities.

3. The Lower Division Cadre, as the name indicates, was introduced for work of a routine nature and the duties of the two grades were not interchangeable. The recruitment to this cadre was at first confined to Postmen and other lower grade staff and the total strength of the cadre was fixed at not loss than 33⅓% of the whole clerical cadre. Recruitment to the Upper Division cadre naturally came to be suspended until the new cadre reached 33⅓% after which recruitment to the Upper Division was to be made at the rate of 50% by direct recruitment and 50% by promotion of Lower Division clerks. As the lower categories of the P. & T. Staff could not provide 33% of the cadre, recruitment was thrown open to outsiders so as to reach 33⅓% as early as possible.

4. When, however, these two grades were finally reconstituted into the 1st Grade and 2nd Grade on the revised scales of pay, the Lower Division clerks and the Upper Division clerks on the old rates of pay were allowed to retain their own scales but were brought into the newly constituted cadres as 2nd Grade and 1st Grade clerks respectively. The strength

APPENDIX III—*concld.*

of the two cadres was fixed in the ratio of 50 : 50. Since there was a large percentage of men in the old Upper Division cadre (for the simple reason that the Lower Division cadre came into existence only in 1927 and by the time the grades were reconstituted, only three years had elapsed), the strength of the 1st grade at the time of reconstitution was far in excess of 50% with the result that the Department had to decide that the recruitment (including promotion of 2nd Grade clerks) to the 1st Grade should be stopped till the ratio between the two cadres reached 50 : 50.

5. The union's demand mentioned in paragraph 1 is based on this ban on promotion from 2nd grade to 1st grade until the two grades reached a 50 : 50 ratio. It is agrued that the ban has operated harshly against the ex-Lower Division clerks who had to stagnate on the maximum of their scale of pay and were kept out of the higher grade by the operation of the ban, which they consider to be unjust and arbitrary. The ban has been described as unjust since the duties of the original Lower Division clerks were of aroutine-nature and were not interchangeable with the original Upper Division clerks ; but when these two cadres were reconstituted into 1st Grade and 2nd Grade, the duties of both were made interchangeable with the result that the two categories performed the same kind of work but got different pay for that work.

6. It will appear from the above that the domand relates to men who are not on the revised scales of pay (the scales of pay introduced in 1935 applicable to all men employed from 16th July, 1931) but definitely on old scales of pay. Besides, the demand amounts in effect to a claim for promotion on certain grounds which do not aomunt to relief necessitated by the higher cost of living brought about by the war. As such, the demand does not come within the scope of the adjudication.

7. It may be mentioned here that recently the ban on promotion to 1st grade until the 50 : 50 ratio had been reached, has been removed and the two scales (1st and 2nd Grade) have been amalgamated into a running scale. Those who had reached the maximum of the Lower Division at the time of issue of these orders were given credit up to one year's service in the old Upper Division scale.

The memorandum from the Telephone Workers' Union, Bombay, contains a prayer that since there has been a steady rise in the cost of living from 1933 onwards with a stationary wage level, the post-1933 workers have lost considerably during the period 1939 to 1946 ; the Union therefore demands that the whole of this loss should be recouped to every worker and this compensation being given by way of monthly increases in salary in such a way that the whole amount is re-imbursed within a period of five years.

2. Employees of the ex-telephone companies, whose scales of pay were fixed by the Telephone Companies in 1933, do not come within the terms of reference since they are not employees on the rates of pay fixed by Government in 1935 for employees entertained in the P. & T. Department after 16th July, 1931.

The memorandum from Bombay Presidency Telegraph Workmen's Union, Bombay, demands that the present scales of pay and the relief granted should be replaced by the scales of pay and dearness allowances and good conduct pay and other allowances as shown by them in the statement attached to the memorandum. Demand relating to revision of pay and increase in allowances has already been dealt with in reply to the memorandum from the Federation and the same remarks apply in this case.

APPENDIX IV

(*See* CHAPTER.)

Rejoinders

FEDERATION OF POST & TELEGRAPH UNIONS

To

The HON'BLE MR. JUSTICE RAJADHYAKSHA, I.C.S.,

Adjudicator.

SIR,

The Federation has the honour to submit the following rejoinder to the P. & T. Department's reply to its written statement.

1. *Terms of reference.*—The Federation, in paras. 1—4 of its statement, has contended that your terms of reference allow you to award, as a first measure of relief, an allowance which would not be only equivalent to the difference between the new and the old scale

of pay but in excess of it. The Federation notes that the Administration has not denied the validity of this contention in all cases where pre-1931 cadres corresponding to the post-1931 cadres exist. Thus, the Administration, in para. 4 of its commentary takes no objection to the Federation's " alternative demand for grant of personal pay " equivalent to a restoration of the old scales, on the argument that it would be outside your terms of reference. We make this point here, because, later in its commentary the Administration takes a different point of view in opposing a similar demand for new-scale employees recruited to cadres brought into existence after the year 1931.

2. *Interpretation of " New Scales of Pay ".*—The Federation has submitted that employees on the new scales of pay include all those recruited to any new cadre which came into existence after the 16th July, 1931. The Administration has officially admitted that it is in agreement with us on this point.

3. Contrary to this admission, the Administration in its reply to one of the unions has stated that clerks recruited prior to 1931 cannot be considered on the new scales of pay, although such clerks were forced into new cadres created after 1931 and can be proved to have suffered by this change in status.

4. This is the case in brief. Prior to 1931 there were two divisions of clerks. Recruitment to the lower division was from two sources : from employees of inferior status within the Department and from outsiders. For the former, recruitment to the lower division represented the apex in their careers. To outsiders, however, recruitment to the lower division was only the first step in their careers as they were promoted to the upper division usually in or about their tenth year of service. Out of every 100 posts in clerical group, sixty-six, including leave reserves, were in the upper division and thirty-three, including leave reserves, were in the lower division. Because of this upper-to-lower division ration of two to one, a lower division clerk did not stagnate at the maximum pay of the lower division, but was usually promoted to the upper division before he reached the lower division maximum. In the year 1931 the upper and lower divisions were replaced by first and second grades as an integral part of the new scales of pay, and one of the basic features of the new grades was a change from the 2 : 1 ratio to a 1 : 1 ratio. Furthermore the entire leave reserve was concentrated in the second grade. This new ratio was applied to pre-1931 employees who, to this extent, were brought within the scope of the new scales of pay. Although they continued on promotion to receive the old upper division salaries, it took them from three to ten years longer to reach the minimum of the upper division than they would have done had they continued on the 2 : 1 ratio. There can be no denying, therefore, that in so far as this change in the promotion ratio was concerned, these employees were brought on to the new scales, and therefore come within the scope of your terms of reference.

5. In the Memo. No. A 17-7/45, dated the 17th July, 1945, the Director-General abolished the two grades and replaced them by a single time-scale, thereby eliminating any future grievances with regard to stagnation. But the employees recruited before 1931 who most deserved relief, have obtained little if any, because they have not been given the benefits of the increments which they should have received for every year of stagnation. It is curious that recruits on the new scales of pay to whom the 50 : 50 ratio was a condition of service from the start, should have been relieved of this disability while their senior colleagues who should never have been brought within the scope of the new conditions at all, have not been given any compensation for their many years of stagnation at the maximum of the lower division.

6. *Demand for personal allowance.*—The Administration has opposed the Federation's demand for a personal allowance equivalent to the difference between the new and the old scales of pay on a point to point basis on the following grounds :

(*a*) That the 1931 scales of pay were correctly fixed *vis-a-vis* the 1926 scales in view of the decline in the cost of living index from 155 in 1926 to 100 in 1935.

(*b*) That it is not intended to make the 1931 scales of pay permanent for all time to come.

(*c*) That though present conditions may demand a revision there is no ground other than a sentimental one for demanding their replacement by 1926 scales.

(*d*) That the 1926 scales were continued for old employees as a mere personal concession.

(*e*) That the grant of the personal allowance demanded by the Federation would benefit some employees more than others.

(*f*) That the grant of the Federation's demand would benefit men with longer service more than men with shorter terms of service.

(*g*) That the Federation's suggested scheme of relief would do least for those on the minimum wage who need relief the most ; and

APPENDIX IV—*contd.*

(*h*) That the real remedy lies in awaiting the findings of the proposed Pay Commission

We take up these arguments seriatim :—

7. There is no truth whatever in the statement that the 1931 scales of pay were fixed to correspond to the decline in the cost of living which had occurred since 1926. If this had been so, the new scales of pay would in general bear a uniform proportionate reduction to the old scales. But this is not a fact. The Department has admitted, for instance, that no reduction was made in the scale of pay of boy peons. The Department itself points out that the reduction was less at the initial stages of a man's service, and increased as he advanced in seniority. The Department points out that the reduction in a single cadre was greater in some areas than in others.

8. More important is the fallacy of the Department's assumption that the 1926 scales of pay were themselves fixed in accordance with the cost of living at that time. We challenge the Administration to produce evidence on this point. Moreover, while some scales of pay were reduced in 1926 others were left untouched. Employees in the Telegraph service, such as Operators, did not enjoy any revision of scales in 1926. Their scales of pay were revised in 1920, and at that time they were given increases which amounted to 60% at the highest over the pre-existing scale introduced in 1912, whereas the cost of living in 1920 stood at 281 as against 137 in 1912.

9. The fact is that the scales of pay introduced from the 16th July, 1931 had no relation to any cost of living figures. They were introduced solely and simply as a measure of economy and as an exploitation of the labour market, in which the supply far exceeded the demand. In 1930-31, the financial position of the Government of India was serious, with a deficit of nearly one crore of rupees a week, including revenue and short-term treasury notes. It was during this year that the unprecedented phenomenon was witnessed of the Government of India offering to borrow money in the market on short-term treasury bills at 7½% interest and yet being unable to secure all the money it needed. Government was beset by the nightmare of impending bankruptcy, and the new scales of pay were a direct result of that nightmare. Curiously enough, when the new scales were actually introduced in the year 1935, the depression had already been surmounted, and the P. & T. Department had passed out of its period of successive deficits to the beginning of an era of surpluses. But this fact weighed nothing with the Administration.

10. The assurance of Government that it is not intended to make the 1931 scales of pay permanent for all time gives no comfort to the staff whose 1931 scales of pay have actually been reduced by 75% in terms of real wages between the years 1939—46, and who have been denied during these six years any revision of their scales of pay. All that they have received, even as a result of the latest increases, is an interim relief less, on the average, than one quarter of the real rise in prices. " Government's suggestion that the demand for a personal allowance tantamount to a restoration of the 1926 scales of pay is based on sentimental grounds arises from its " invincible ignorance " of the moral outrage felt by the men on the new scales of pay at the fact that they have been compelled year after year to do the same work and accept the same responsibilities as their pre-1931 colleagues at a total remuneration which ranges downward to one-half that of their seniors. The demand for a personal allowance to neutralise this difference arises not on sentimental grounds but from the seething sense of injustice that has been aggravated by the higher dearness allowance, resulting from the flat 17½ formula which gives highly paid officers up to Rs. 263, by the rest and recreation allowances, and other facilities given to a large number of men on the old scales from which the post-1931 men are debarred. Furthermore, it is natural and inevitable that a demand for the abolition of inequalities in scales of pay must refer to the 1926 scales which are the only ones in existence in the present context.

11. The argument that the 1926 scales were continued for older employees as a mere personal concession is an item of news of which the staff have been blissfully unaware for the past 16 years.

12. "In the allegation that your grant of the Federation's demand for a personal allowance would benefit some employees more than others, would benefit senior men more than their juniors, and men above the marginal level of subsistence more than men on or below the margin, the Administration emerges in the role of the champion of the staff against their Federation. " It is quite true that the personal allowance demanded by the Federation will benefit some employees more than others, that it will benefit senior men in some cases more than their juniors, and men above the margin of subsistence more than men on or below it. Why then, are all these groups equally insistent on a personal allowance equivalent to restoration of the old scale of pay as a first and basic measure of relief ? What is the significance of the fact that the unions, inside and outside the Federation, including those unions representing the lower paid and inferior cadres of employees exclusively, unite in this demand ? The staff are unanimous because of their burning resentment against the injustice of the very fact of two scales of pay for employees doing the same work and bearing the same responsibilities. This differential treatment which arose out of the financial crisis which faced the Government of India in 1931, was an immoral

attempt to solve that crisis. It has become an even more grievous wrong, and an ever-increasing cause of bitterness, because it continued for years after the cause that originated it ceased to exist. It continued after the depression of 1931 became a memory. It has continued during the years in which the deficits of the P. & T. Administration have been converted into surpluses running into crores of rupees, while the real wages of 1931 have diminished progressively to 25 per cent. of their pre-war value.

13. The Administration appears to forget, moreover that this demand for a personal allowance is only the first demand of the Federation, and that the Federation has always maintained that relief far beyond a restoration of the pre-1931 scales of pay is warranted by the present cost of living. Even on the Administration's own argument that the 1931 and 1926 scales of pay were appropriate to cost-of-living indices of 100 and 155 respectively —the truth of which the Federation has never admitted—a remuneration based on either of these scales is obviously inadequate today, when the wholesale cost-of-living figure, as calculated by the Economic Adviser to the Govt. of India, hovers around the level of 250, and in reality is nearer 400. With regard to the anomalies which the Administration piously parades, it is pertinent to enquire who has introduced them. They arise from the fact that the pre-1931 scales of pay were as haphazard and unscientific as the 1931 reductions were arbitrary. The Administration which made these blunders can hardly produce them as arguments against the Federation which desires them to be abolished at the earliest possible moment, but insists that the greater injustice of differential treatment between the new and old entrants must first be removed. This differential treatment has caused employees on the new scales of pay losses amounting to crores of rupees, and in some cases, as for instance in that of the foremen and Assistant foremen in Telegraph Workshops the reduction on the pre-1931 scales has been as much as 51 per cent. To take another example, the minimum of the old scale has been made the maximum of the new in the case of packers and some other sections of the inferior staff for whom the Administration professes profound sympathy.

14. The absurdity of the Administration's line of argument lies in the solution offered, namely, that the men should get no relief on this ground (or any other ground) at all but should await the findings of the proposed Pay Commission, which will certainly not appear under eighteen months from now, which may be abolished by the new Government which we all expect, and which may not be acceptable to the staff. The Federation would be prepared to accept this solution if the Administration would ask the grocer, the landlord, the washerman, the doctor and the other purveyors of goods and services and, above all, the money lender to whom the staff on the new scales of pay have to resort, to await the award of the Pay Commission. Better still, we suggest that the Administration, as a first step in this delayed-—relief policy, should ask its income tax and rationing authorities to suspend the question of payment till the Pay Commission is appointed, meets, adjourns and reports. Almost three months have elapsed since the Pay Commission was announced on the floor of the Assembly. The Administration informs us in its reply that the pay commission has actually been appointed, but nobody except the Administration knows anything about the personnel of the Pay Commission.

15. In concluding this section of our rejoinder we assert with confidence that the Administration has not produced an iota of valid argument to undermine the Federation's case, and would request you, Sir, to grant us this demand in full, while keeping note of the fact that any anomalies which may arise can be adjusted when our demand for an upward revision of the single consolidated scale is dealt with.

16. *Objection to the Federation's second demand.*—The second demand of the Federation, for a personal allowance proportionate to the difference in remuneration between the new and old scales of pay for employees recruited to cadres which came into existence after the year 1931, is a corollary to the Federation's first demand. The Administration, however, opposes it on a novel ground, namely, that since no pre-1931 scales of pay exist, the Federation's demand amounts to a request for a revision of the scales of pay and is therefore, outside the scope of your enquiry. It would seem, Sir, that the author of the Administration's commentary, having grown tired at this stage as a result of the mental effort expended in meeting the Federation's first demand has fallen back on the line of least resistance and has resorted to the stock argument " outside the terms of reference ". It is obvious that if the Federation's first demand has not been opposed on this ground, its second demand, which is in essence identical, cannot be opposed from this angle. It is not beyond the wit of men to devise a reasonable personal allowance in those cases where old scales do not exist, if due regard is paid to the qualifications and nature of work required.

17. *Objection to the Federation's third Demand.*—The Administration opposes the Federation's demand for a compensatory allowance on the following grounds :

(*a*) That reliable cost of living indices are not generally available.

(*b*) That the sliding scale recommended by the Federation will operate unfairly, and

(*c*) That the amount of compensatory allowance demanded is excessive in view of the actual prices. The Administration marshalls against the figures of the Federation opposing figures of its own and of Dr. Aykroyd.

APPENDIX IV—*contd.*

18. With regard to the unreliable cost of living indices, such unreliability as exists is clearly the fault of the Government of India. A limb of that Government can hardly produce the fact of the negligence of the whole body to deny an allowance linked to the cost of living. The Administration suggests as an alternative that cost of living allowances should follow " the general course of prices ". We were under the impression that the figures prepared by the Economic Adviser to the Government of India were based on the general course of prices. But if the Administration prefers the figures prepared by provincial authorities, we are in a position to produce the very latest indices supplied by the Government of the United Provinces. These figures refer to the cost of living indices of low-paid Government servants for March 31, 1946. They are as follows :—

Allahabad	336	Meerut	334
Lucknow	338	Jhansi	328
Agra	357	Cawnpore	309
Benares	323		

19. The figures for Allahabad, Benares and Meerut are provisional. Those for Lucknow, Agra, Jhansi and Cawnpore are final. We understand that the Administration addressed enquiries to all provincial Governments prior to this adjudication for their latest cost of living figures. We should be grateful if the Administration would lay the figures on the table. It is a well-known fact that prices in Bombay, Sind, Bengal and Assam, and the Punjab are higher than prices in U. P. It would seem, therefore, that the Administration's contention that dearness allowance should be linked to the genreal course of prices and not to the cost of living indices furnished by the Economic Adviser to the Government of India, results in placing the " course-of-price " index at approximately 100 above the cost-of-living index. The Federation accepts the suggestion of the Administration.

20. The next statement of the Administration is that its dearness alowance policy has been determined by the intention to see that employees in the lower income groups do not suffer a depression of their standards which will result in deterioration of their health and efficiency. This policy no doubt explains why the poor, lower-paid employee drawing Rs. 2,000 a month is granted an allowance of Rs. 263 while his colleague on Rs. 120 a month has been officially exhorted in more than one Director-General's Circular to show a due sense of gratitude because he has been handsomely awarded Rs. 30 under the very latest increases in dearness allowance and Good Conduct Pay, the letter of which, incidentally, is withheld when he misbehaves to the extent of falling ill and going on medical leave.

21. In the argument that the sliding scale recommended by the Federation will operate unfairly, the Administration again emerges as a champion of the staff *vis-a-vis* their Federation. The moral sense of the Administration is outraged by the fact that a postman in an area carrying a scale of Rs. 20—1—40 will receive Rs. 39 as compensatory allowance and his colleague with equal length of service, serving in an area carrying a scale of pay of Rs. 30—1—43 will get Rs. 91. We request the Administration to produce before you, Sir, a postman anywhere in India, who receives a pay in the scale of Rs. 30—1—43. Our reading of the Manual of Appointments and Allowances shows that the highest paid postman in India receives a maximum salary of Rs. 34. The Administration is even more shocked that a packer on the *old scale of pay* would get Rs. 39 on promotion to the postman's grade after he has put in four years of service. We were under the impression, Sir, that your terms of reference were restricted to packers on new scales of pay and not on the old. Furthermore, the Administration forgets to mention that a packer is an employee of inferior status, and a postman an employee of superior status, and that its own starting pay for employees of superior status is about 2½ times that of employees of inferior status. If the Administration considers it correct that the minimum living wage of a middle class employee should be more than double that of a working class employee why does it object to a dearness allowance on a similar basis ? We are prepared and anxious, however, inspite of these facts, to meet the Administration's objections, by most willingly agreeing to an alteration which would raise the figures for inferior staff from three to five points for every rise of 10 points in the cost of living, and further that the cost of living index taken into consideration should be in accordance with the " general course of prices " advocated by the Administration in preference to the figures of the Economic Adviser to the Government of India.

22. The Administration's final objection is that the compensatory allowance demanded by the Federation is excessive, being based on budgets which are highily exaggerated. The Administration suggests in place of the so-called extravagant budget of the Federation that its own tables be accepted. With regard to the budget submitted by the Federation, it is a typical budget worked out by an employee, whom the Federation will present in

APPENDIX IV—*contd.*

evidence together with some thirty others, all selected at random from the major departmental groups of P. & T. employees and on a wide territorial basis. The evidence these witnesses will furnish will prove that the Federation's budget errs, if anything, on the side of under-statement.

23. With regard to the budget of the Administration, we draw your attention, Sir, to the following points :—

(*a*) That the Administration continues to refuse to place in evidence the report of its present Director-General on his enquiry into the cost of living in Bombay and other places (Krishna Prasada Report);

(*b*) That though the Administration submits figures by Dr. Aykroyd for the year 1939, it does not itself accept Dr. Aykroyd's figures as correct, either for quantities or prices;

(*c*) That the Administration does not submit any figures by Dr. Aykroyd for the year 1946, but only for the year 1939 when prices were normal;

(*d*) That the Administration's budget is based on a family of three adults, whereas the Administration in its ration policy has granted that rations should be allowed for a family of four adults, and furthermore, that it is completely wrong in principle to equate two children to one adult, although the Federation has based its budget on this equation for comparative purposes;

(*e*) That the Administration's budget figures for quantities are seriously defective, that the prices quoted are in many cases illusory, and that there are serious omissions of items of food, clothing and shelter, which are essential to the maintenance of a decent human existence; and

(*f*) That the Administration's budget assumes that the P. & T. employee has not to incur any expenditure whatsoever on such items as the education of children, illness, recreation, travel, taxes, insurance premia, religious obligations, payment on loans, subscription to clubs, unions, or newspapers and a number of other items which are considered outside the P. & T. Administration, as necessary elements of living in a twentieth century civilization.

24. The Federation submits in the statement attached a detailed analysis of the causes of the difference between the budget statements furnished by the Administration and itself. The Federation will also produce witnesses and furnish documentary evidence to prove beyond challenge that the budget statement of the Administration is ridiculous and absurd, and that it bears no relation to reality.

25. *Indebtedness of staff.*—We draw your attention to the fact that the Administration has failed to make any reply whatsoever to the Federation's observations on the general indebtedness of the P. & T. Staff, and we take it, therefore, on the ordinary principle of law, that it has accepted our contentions in this regard.

26. *Financial capacity to meet our demand.*—The Administration has likewise maintained a discreet silence on the section in the Federation's written statement dealing with the Department's financial capacity to meet our demands in full. We take it, again, that the Administration has accepted our arguments under this head.

27. *Defect in terms of reference.*—Finally, Sir, we invite your attention to a most serious defect in the terms of reference laid down by Government those terms limit you to employees on the new scales of pay. These employees draw salaries ranging from about Rs. 10 to about Rs. 300 a month, and they number approximately 75,000. There are another 50,000 employees on the old scales of pay who draw salaries within this same range. Are we to assume that they are unaffected by the rise in the cost of living? If not, on what ground of equity can they be debarred from any award which you may decree on the grounds of present day prices. We respectfully request that you invite the attention of Government to this serious issue, and to the great disaffection which is bound to result if your award is not applied simultaneously to all non-gazetted employees without exception.

28. We submit, in conclusion, that the Administration's reply to the Federation's written Statement has failed completely to counter our arguments; and, further, that the Administration in attempting to counter them, has succeeded merely in showing that the Federation has a stronger case for relief than it originally submitted. We await with confidence your just award.

I have the honour to be,

SIR,

Your most obedient servant,

GEORGE NORONHA,

General Secretary.

DATED, SIMLA;

The 5th May, 1946.

APPENDIX IV—*contd.*

Notes on the family budget

1. The Federation's budget was prepared for a family of 2 adults, husband and wife—and two minor children, equalling three consumption units.

2. The average number of persons in a family varies from province to province and Government enquiries show the following averages :—

Area	Average No.
Bombay City	3·59
Ahmedabad	4·07
Sholapur	4·81
Jagadal	4·54
Jharia	4·34
Cawnpore	3·42
Nagpur	4·54
Madras	6·03
Average	4·4

The Federation has presented a specimen budget for 3 adults only as a basis for comparison. The Federation contends that the average number of persons in the family of the P. & T. employees is higher, and will lead evidence to substantiate this contention.

3. The budget is for a balanced diet, as formulated by the Food Department of the Government of India in the chart published in Nutrition Bulletin No. 1.

4. Under the heading *Food* (items 1—6 of the Department's comparative budgets) the units for consumption laid down in the Nutrition chart, and by Dr. Aykroyd vary. The Department has adopted its own standards for reasons not known to us. The variations are detailed below :—

Items	Federation's Figures (Nutrition Chart)	Dr. Aykroyd	P. T. Department
	(Seers)	(Seers)	(Seers)
1. Pulses	8·1	8·1	6
2. Cereals—			
Wheat	..		13·5
Rice	27·0		13·5
Bajra	8·1		4·0
	35·1	40·8	31·0
3. Vegetables	24·3	27·8	22
4. Fruits	1 Orange 1 Apple 1 Banana by rotation.	5·4	5·4
5. Milk	21·6	21·9	32
Extra Milk for children	10·8	10·8	
Ghee	3·6	5·4	1
Oil	1·8		·5
Not included			
Eggs	2 per adult per day	*Nil*	*Nil*
Meat	2 oz. per adult per day	*Nil*	*Nil*

APPENDIX IV—*contd.*

5. Under items 5 and 6 combined the total expenditure as shown by the Federation is Rs. 84-3-6 as against Rs. 24-3-0 shown by the Department. The reasons for the difference are the following :—

(*a*) Under item 5 the Federation has allowed Rs. 16-14-0 for 21·6 seers of milk *plus* Rs. 25-5-0 for the equivalent value in milk, from a nutritional standpoint, of eggs and meat, which are omitted altogether by the Department.

(*b*) If eggs and meat are actually consumed, the cost comes to Rs. 30-9-7, *i.e.*, Rs. 5-4-7 above the cost of an equivalent milk diet.

(*c*) With regard to the items of ghee and oil, the Department allots 1 seer under ghee and 5 seers under oil. Dr. Aykroyd in his Health Bulletin No. 23 (page 5) writes :—"Animal fats such as butter and ghee contain Vitamin A. Oil may contain little or no Vitamin A.....(page 17). Pure ghee or butter is of course preferable to vegetable fat but much dearer". On account of the cost, the Department has preferred to allot 5 seers of oil. The Federation has provided for a consumption of 1·8 seers of oil as it is used in cooking, and has reduced this quantity from the total of 5·4 seers prescribed. (Difference of Rs. 7-5-9).

(*d*) The Federation's budget provides for expenditure on sugar, etc., as follows :—

Sugar	3·6 Seers.
Salt	1·5 Measures.
Tamarind	2·5 Seers.
Coffee	1·09 Seers.

and also allows Rs. 5-6-8 to compensate for the deterioration in the nutritive value of foods now available.

A comparative statement is given below :—

	Federation's Figure Rs. A. P.	Department's Figure Rs. A. P.
Item 5	42 3 0	20 3 0
Item 6	42 0 6	4 0 0
Total	84 3 6	24 3 0

Details

Items	Federation Quantity	Federation Cost	Department Quantity	Department Cost
	(Seers)	Rs. A. P.	(Seers)	Rs. A. P.
Milk	21·6	16 14 0	32	12 0 0
Extra Milk for children	10·8	8 7 0		
Eggs	180	30 9 7	*Nil*	*Nil*
Meat	5·4			
Ghee	3·6	12 12 5	1	3 8 0
Cocoanut and Gingelly Oil	1·8	2 12 4	5	4 11 0
Curry powder & Condiments		1 9 9		
Sugar	3·6	1 14 0		
Tamarind	2·5	0 10 6		
Salt	1·5 (Measures).	0 3 10		4 0 0
Coffee	(Seers) 1·09	2 15 5		
Compensation for deterioration in quality of foodstuffs		5 6 8		
		84 3 6		24 3 0

APPENDIX IV—*contd.*

6. *Vegetables.*—The price quoted by the Department is unreal. Leafy vegetables today cost nearly 8 times the pre-war prices. The cost of vegetables per meal for the family has never been less than annas four during the past two years. (Difference : Rs. 6-12-0).

7. *Fruits.*—The Department has calculated the weight of fruits to be consumed but not the varieties. The Federation was guided in this respect by the advice of Dr. Aykroyd with particular reference to children. The cost was calculated on the basis of an intake of 1 orange, 1 apple and 4 bananas ; 2 oranges, 1 apple and 1 banana ; and 1 orange, 2 apples and 1 banana alternating in a sequence of 3 days as under, the family being treated as consisting of 4 adults in this case, in accordance with Dr. Aykroyd's suggestions (page 18 of Health Bulletin No. 23).

	Fruit Combination	Cost Rs.	A.	P.
1st day	4 bananas	0	2	0
	1 orange	0	1	4
	1 apple	0	5	9
		0	9	1
2nd day	1 banana	0	0	6
	1 orange	0	1	4
	2 apples	0	11	6
		0	13	4
3rd day	1 banana	0	0	6
	2 oranges	0	2	8
	1 apple	0	5	9
		0	8	11

Daily Average Cost = Rs. $\frac{(0\text{-}9\text{-}1)+(0\text{-}8\text{-}11)+(0\text{-}13\text{-}4)}{3}$ = Rs. 0-10-6.

Average Monthly Cost = Rs. 19-11-0. The Department has provided for Rs. 5 only.

8. *Fuel & Lighting.*—The Department has not provided for coal. The Federation calculated the cost for lighting as 8 units of electricity.

9. *House rent.*—Federation . . Rs. 18 ; Department . . Rs. 5.
No comments are called for.

10. *Clothing.*—Federation . . . Rs. 18-11-0 ; Department . Rs. 14.
The Federation's figures are conservative.

11. *Miscellaneous.*—The Federation's figures under item 10 (*a*) have been compiled as follows :—

	Rs.	A.	P.
Scavenging	1	4	0
Sweeper	2	0	0
Coolie Hire	0	9	0
Broom Sticks	0	2	0
Phenyle	0	6	0
Splitting Firewood	0	9	0
Milling grains, etc., into flour	0	9	0
Repairs to utensils, cobblers, etc.	1	0	0
Shaving & Haircutting	1	5	0
	7	12	0

The Department's figure is Re. 1-0-0.

APPENDIX IV—*contd.*

The Federation's budget under 10 (*b*)—Dhobi, Washing, etc., Rs. 6-8-0; the Department's Rs. 4-0-0. The Department's figure is unreal.

12. *Other miscellaneous items* :—

	Federation Figures			Department Figures		
	Rs.	A.	P.	Rs.	A.	P.
Washing soaps	0	10	0			
Toilet Soaps	1	5	0			
Gingelly oil for bath	1	6	3			
Soapnuts	0	4	6	13	8	0
Pan & Supari	3	8	0	(Details		
Minor Utensils	2	8	0	not given.)		
Shoes, Sandals, Umbrellas, Hats, Caps and Miscellaneous.	4	7	3			
	14	1	0			

Items	Dr. Aykroyd's Standards			Federation's Standards		P. & T. Department's Standards	
	Units	Cost at Govt. Prices	Cost at Federation Prices	Units	Cost at Federation Prices	Units	Cost at Govt. Prices
		Rs. A. P.	Rs. A. P.		Rs. A. P.		Rs. A. P.
Dal	8·1	3 6 10	3 4 6	8·1	3 4 6	6	2 8 6
Wheat	40·8	11 7 7	12 1 9	27	7 15 6	13·5	3 6 0
Rice							
Bajra				8·1	1 14 0	13·5	3 13 0
						4·0	0 12 0
Vegetables—							
Leafy	10·8	10 3 10	17 1 10	24·3	15 0 0	22	8 4 0
Non Leafy	16·5						
Fruits (a)—							
1 Orange	5·4	5 0 0	19 11 0	1 Orange	19 11 0	5·4	5 0 0
1 Apple				1 Apple			
1 Banana by rotation				1 Banana by rotation.			
Milk	21·9	8 3 5	17 1 9	21·6	16 14 0	32	12 0 0
Ghee	5·4	12 6 5	12 12 5	3·6	12 12 5	1	3 8 0
Oil		1 11 0	2 12 4	1·8	2 12 4	5	4 11 0

Fruits (*b*)—									
Eggs : 2 per head and Meat : 2 oz. per head.	...	...	...	Eggs : 2 per head and Meat : 2 oz. per head.	22 8 0 8 1 7	...	...	30 9 7	Rs. 5—4—7 carried over to item Miscellaneous.
OR									
Milk	...	...	...	32·4	25 5 0	...	...	25 5 0	
Sugar	3·6	1 14 0	1 14 0	3·6	1 14 0				
Salt		0 3 10	0 3 10		0 3 10				
Tamarind (*c*) . . .	2·5	0 10 6	0 10 6	2·5	0 10 6	...	4 0 0		
Curry powder . . .		1 9 9	1 9 9		1 9 9				
Coffee	1·09	2 15 5	2 15 5	1·09	2 15 5				
Extra milk (*d*) for Children .	10·8	4 0 10	8 7 0	10·8	8 7 0	...	...	...	
Compensation Factor (*e*) .	...	...	...	...	5 6 8	...	...	...	
		69 13 5	100 10 1	...	132 0 6	...	47 14 6	...	

(*a*) Value of fruits calculated *vide* enclosure.
(*b*) Difference in cost of milk and of meat and eggs as substitute for milk, carried over to miscellaneous item.
(*c*) Curry powder ½ viss Chillies, ¼ viss coriander, pepper, etc.
(*d*) Extra milk for children at 10 oz. per head.
(*e*) Compensation factor of Rs. 5-6-8 provided for deterioration in quality.

APPENDIX IV—*contd.*

ALL-INDIA TELEGRAPH UNION

I. Old Lower Division Clerks merged in Second Grade cadre introduced from 1931

1. The Department, in paragraph 6 of its statement in reply to the memorandum submitted by the Bombay Branch of the All-India Telegraph Union, opposes the consideration of the claims of the Old Lower Division Clerks merged in the Second Grade created from 1931 for any relief from the adjudication on the ground of their not being on the revised scales of pay, although in paragraph 5 it admits the fact of pecuniary loss sustained by the old Lower Division Clerks who were kept back from their normal promotion to the next higher grade by the operation of the ban imposed as a result of re-organisation of the clerical establishment in the Telegraph Offices following upon the introduction of the new scales of pay.

2. The objection to the inclusion of these employees within the purview of the adjudication is obviously based on the view that the old scales of pay were higher than the new scales and that the incumbents of the former are better off pecuniarily than those of the latter. This presumes that the employees who are sought to be excluded from the adjudication *on that ground* all the while enjoyed and derived the full benefit of the higher scale to which they would have been normally entitled, had not their conditions of service been, in any way, disturbed. But the position with regard to these employees was entirely different.

3. The re-organisation of the clerical establishment into two grades not only reduced the number of appointments in the First Grade and thus caused stagnation of the old Lower Division Clerks in question at the maximum of the scale, but by a mere declaration that the duties, which had previously been recognised as *not interchangeable*, were, with their merging in the Second Grade, made interchangeable to deny them the benefit of officiating pay when required to hold responsibilities formerly considered to be of a higher nature. Although according to the Department the First and Second Grades were considered to form a continuous time scale, its continuity was broken at a particular stage at which the incumbents of the latter were held up for a number of years in the middle of the time scale. It cannot, therefore, be denied that this operated adversely to the interests of the employees concerned who, although in the Departmental language technically treated as having been on the old scales of pay, incurred heavy monetary losses in their service life, so much so that taking into account the number of years of service put in by an incumbent before passing into the First Grade and the number of increments earned by him, it would indicate that the stagnating old Lower Division Clerks were the worst sufferers among all classes of the Department's employees.

4. Their claims for further relief are resisted by the Department on the ground that the grievances do not arise out of the higher cost of living but it very conveniently ignores that their wages were kept stationary by the Department for a number of years during which they did not earn the normal annual increments of the time scale. Their income was thus artificially kept lower than what it should have been and this had the effect of diminishing their capacity to resist the rise in the cost of living which the higher wages factor implied in the statement that they were employees on the old scales of pay is supposed to give them immunity. To cite an example, an old Lower Division Clerk who entered the Department in 1928 on the scale of pay Rs. 50—5—100 reached his maximum of Rs. 100 in 1938, since when his salary continued to remain stationary for seven years until his transfer to the First Grade in 1945 on the abolition of the Second Grade. Had not this disturbance been caused in his service conditions, particularly pay and prospects, *on the introduction of the New Scales of Pay* from 1931, his pay would have been Rs. 135 per month instead of Rs. 104, which it is today. To this reduced salary is to be added the recurring annual as well as accumulated loss suffered on account of the stoppage of annual increments which are the characteristic of any continuous time scale of pay.

5. The observation in paragraph 7 of the Department's statement is not only irrelevant but misleading as the abolition of the ban referred to therein does not give such an employee of the old Lower Division any monetary relief beyond Rs. 4 (Four) only against the loss of increments in the higher grade for several years continuously. When it is considered that the period of stagnation in many cases extended for 10, 12 or even more years, the magnitude of the loss suffered by the incumbents of this cadre can well be estimated. Had not the introduction of the New Scales of Pay created this deplorable situation for them, their pay would have been, in several cases, by this time reached the maximum of the upper grade instead of being at the bottom of the First Grade.

6. It is thus shown that in spite of their being so called old scale employees and of their length of service, they are not like other officials governed by the old scales of pay on a time scale who had earned their yearly increments after each year of service and reached a pay which the stagnated old Lower Division Clerks would also have reached but for such interruption of their annual increments for circumstances beyond their control and contrary

APPENDIX IV—*contd.*

to their conditions of service. There is, therefore, no ground whatsoever for the Department to oppose the claims of these most unfairly treated group of employees in the history of the Department, for such additional relief as is certainly called for by the abnormal conditions created by the War.

II. Employees of the acquired telephone companies

1. The Department has opposed the inclusion of the employees of the acquired Telephone Companies within the scope of the present adjudication on the ground that "they are not employees on the rates of pay fixed by Government in 1935 for employees in the P. & T. Department after 16th July 1931 " and that " they retain their own scales of pay ".

2. It is not disputed by the Department that these officials are whole time servants in the employment of Government and that they receive their salaries from the revenues earned by the Department. Although they form a separate cadre and continue to be governed by their former scales of pay pending their ultimate departmentalisation (which is already overdue according to the terms of acquisition and which it may be observed, is now put off by the Department for the Pay Commisson), under the Director-General's General Circular No. 3, dated the 19th April, 1943 the administrative control of the acquired Telephone Companies vested in the Director-General of Posts and Telegraphs with effect from the 1st April 1943, and the General Managers of these Telephone Districts are ranked as Postmasters General. The Department cannot, therefore, disown its obligations for any additional relief which may be called for on account of the inadequacy of the scales of pay of these employees. That this position is also accepted by the Department is fully proved by the fact that in the matter of grant of Dearness Allowance, Good Conduct Pay, Supply of food grains at concessional rates, Military concessions under the Defence of India Corps (P. & T.) and also by enforcement of retirement from service at the age of 55, they were treated on a par with other employees of the P. & T. Department who were on the departmental scales of pay.

3. The absurdity of the position now taken up by the Department with regard to these employees will appear in still clearer relief from its own statement. In paragraph 4 of its memorandum in reply to this union's statement filed with the Adjudicator the Department admits that " only those employees who have been entertained after this date (1st April 1943) on the new rates of pay (1931) come within the terms of reference to the adjudication and any demands made on their behalf can be considered." The effect of this would be that while the claims, for example, of a Clerk in any of these Telephone Districts on the P. & T. new scale of pay Rs. 45—45—3—90—5—120 are conceded for the adjudication, the consideration of the claims for further relief of another Clerk who is an ex-employee of the acquired Telephone companies on the scale of pay Rs. 30 - 5 - 50 is objected to merely because the latter had his pay fixed on a lower scale by one of the defunct companies in 1933, in spite of the fact that his starting salary was less by 50 per cent. than the P. & T. new scale of pay for Clerks. Similarly, while the case of a Telephone Operator on the P. & T. new scale of pay Rs. 45—45—3—90—5—120 comes within the scope of adjudication, another Telephone Operator on the scale of pay Rs. 20—3—65 is to be excluded from the scope of adjudication, if the contention of the Department were accepted, for no other reason than that he happens to be the ex-employee of one of the acquired Telephone companies. In the case of lowest paid employees of these companies such as Bearers exclusion *on that ground only* would constitute the greatest hardships.

4. In the opinion of this union an inadequate scale of pay does not cease to be any the less inadequate either or its origin and enforcement at an earlier stage by another authority which is different from the present employer, or for the fact that the group of employees form a separate category from other servants of Government recruited by them on their own scales of pay. A class of whole-time employees serving the Government and receiving their salaries from the public exchequer which has taken possession of the assets of these acquired Telephone companies, should not, therefore, be excluded from the scope of the present adjudication without any examination of their need for such further relief as may be considered necessary for others, particularly when the scales of pay governing them are less than or similar to those known, in departmental language, as the new scales of pay introduced by Government.

5. Whether or not, for the purposes of the present adjudication, they should be treated on a par with the departmental employees within the description "governed by the new scales of pay" can only be judged by an examination of how far the *ex*-employees of the acquired Telephone companies are better or worse off in comparison with departmental employees recruited on the new terms having to perform similar or corresponding duties. The fact that the scales of pay of the former were also fixed by *their* the then employers (who were profit-making business firms and therefore proverbially not liberally disposed towards the subordinate employees) on the basis of cheap living condition prevailing in

APPENDIX IV—*contd.*

1933 and did not carry any of the privileges under Government service such as security, pension, casual leave, etc., is sufficient to establish the claims of these employees to deserve similar, if not better treatment, during their employment under Government. They being exposed, to a greater degree, to the hardships arising from the increased cost of living brought on by the war conditions, theirs is a most deserving case to be considered by the adjudication.

TELEPHONE WORKERS' UNION (DIST. & WORKSHOP, I. P. & T. DEPT., BOMBAY, AHMEDABAD, KARACHI.)

Dated 3rd May 1946.

To

THE HON'BLE MR. JUSTICE RAJADHYAKSHA, I.C.S.,

Adjudicator (Postal Dispute),

SIMLA.

SIR,

It is not without great hesitation that I take part in the proceedings of this Cour and before I proceed to deal with the points raised in the statement and charts filed by this union, claiming the nature and extent of relief I should like with your permission to register our agreement with the statement of Messrs. Diwan Chamanlal and Dalvi on the issue of defects in framing the terms of reference. I should also like to disburden myself of an oppressive feeling that has been growing on me ever since I learned the contents of the reply filed by the Administration to our memorandum. I endeavoured to study the grounds on which the reply is based and resumed correspondence seeking clarification on the points raised therein, from the authorities concerned. I may now invite the attention of this Court to the latest stand taken by the Administration, on reconsidering the whole issue, to the effect that they have no objection to the case of *ex*-Bombay Telephone Company's staff acquired by the P. & T. Dept. being admitted for hearing before the Adjudicator.

2. The Director General is pleased to include the Bombay Telephone District and Workshops in the P. & T. Dept. for the purpose of this adjudication *vide* his letter No. A 27-3/46 dated 14th March 1946 an extract whereof is given below for information :—

" As the representatives of the Union have been informed the appointment of an Adjudicator to report regarding the additional relief to the staff on the new scales of pay in the P. & T. Dept. affects the entire Dept. including the Telephone District and Workshops, and I am advised by the Labour Department that if the Bombay Telephones Workers' Union wishes to state its case to the Adjudicator within the terms of the Adjudication, it will be afforded an opportunity to do so."

3. It may be noted that the *ex*-Telephone Company on acquisition by Government on 1st April, 1943, was split up into two organizations for the convenience of the Administration, *viz.* Telephones, Bombay District and Telephone Workshops, Bombay. The former has been assigned with the work of the maintenance of Telephone communication at Bombay, Ahmedabad and Karachi, while the latter is mainly concerned with the manufacture of Telephone components of precision nature required for the Telecommunication Development Scheme. The Bombay Telephone District, at present, comprise of—

(*i*) Staff of *ex*-Bombay Telephone Company, acquired by the P. & T. Dept., as existed on 31st March 1943 which consisted of (*a*) employees governed by pre-1933—known as old scales of pay, (*b*) employees governed by post March 1933—known as new scales of pay, (*c*) daily rated but monthly paid employees,

(*ii*) Staff recruited on and after 1st April, 1943 on P. & T. new scales of pay.

and the Bombay Telephone Workshops is comprised of (*i*) and (*ii*) above and (*iii*) employees governed by scales of pay introduced by the manager, Bombay Telephone Workshops and daily rated but monthly paid employees recruited after 1st April, 1943.

4. The Director-General in his general Circular No. 38, dated 27th March, 1946, the necessary extract whereof is reproduced below for guidance, intimated to this office the terms of reference of his Adjudication.

APPENDIX IV—*contd.*

"Whereas the trade dispute between the Posts and Telegraphs Department and its non-gazetted employees has been referred to Mr. Justice G. S. Rajadhyaksha, I.C.S. for adjudication under Order No. L. R. 2 (28), dated the 5th March, 1946, of the Government of India, in the Department of Labour, under Rule 81-A under Defence of India Rules, the matter for adjudication being whether, taking into consideration the various forms of relief already granted by the said Department to the said employees such of the employees as are governed by the new scale of pay require any further relief pending the findings of the proposed Post-War Pay Commission and if so, the nature and extent of the relief equired."

5. Before examining the terms of reference in relation to the staff represented by this Union, it is necessary to study a brief history of the same. The Bombay Telephones Co., Ltd., with its Head Office at Bombay and branches at Ahmedabad and Karachi was taken over by the Government of India and attached to the Indian Posts and Telegraphs Department on 1st April 1943. The shareholders were paid at rate of Rs. 79-15-0 per share whose face value was only Rs. 50 and the entire assets were taken possession of by the Government. The P. & T. Deptt. acquired the staff of the now defunct Bombay Telephone Co., Ltd., and continued their services on the same terms and conditions as on 31st March 1943.

6. At the time of acquisition this staff was constituted of two kinds of employees in each cadre namely those employed prior to 1st March, 1933, known as employees on old scales of pay and those employed on or after 1st March, 1933, known as employees on new scales of pay. The P. & T. Department in accordance with the pledge given at the time of acquisition of the staff have adopted these scales by allowing the *ex*-Bombay Telephone Co., employees to draw increments and promotions in the respective scales of pay. Thus, the P. & T. Dept. virtually set its seal on the old and new scales of pay for the acquired *ex*-Bombay Telephone Co., staff which continue to be governed by these scales even under the P. & T. regime. More-over, the various forms of relief so far granted by the P. & T. Department to the gazetted and non-gazetted employees are applied to the gazetted and non-gazetted employees of the Telephone District and Workshops.

7. It can thus be seen that the stand taken by this union in claiming further relief to the acquired *ex*-Bombay Telephone Co., and the P. & T. staff governed by their respective new scales of pay is justified as in its opinion the staff satisfying the following conditions comes within the terms of reference of this adjudication as laid down in the circular referred to above.

(*i*) Whether a trade dispute exists between the staff and the P. & T. Department.

(*ii*) Whether the said staff is the non-gazetted employees of the P. & T. Department

(*iii*) Whether the appointment of Adjudicator renders the strike, declared by the said staff, illegal under the Defence of India Rules 81-A.

(*iv*) Whether the staff have been allowed various forms of relief already granted by the Department from time to time.

(*v*) Whether the said staff is on new scales of pay. These points are dealt with below seriatum.

(*i*) The Telephone Workers' Union (District and Workshops) had served on the P.& T. Department a notice of strike for collective withdrawal of labour from 11th March, 1946, on the Department's failing to comply with the union's nine demands, a list whereof was submitted therewith. The strike was called off on the compliance of few demands by the Department, and assurances given for the other by the Director-General (now Secretary to the Government of India Department of Posts and Air) in the meeting held with the representatives of the union at New Delhi on 12th March, 1946, (a copy of their resolution passed in the general body meeting of the union calling off the strike is attached hereto. The copy of the minutes of the meeting, already filed with you *vide* Appendix N, forwarded with our memorandum may also please be seen). It is thus clear that a trade dispute between the entire non-gazetted staff of the Bombay Telephone District and Workshops and the P. & T. Department did exist within the meaning of the term.

(*ii*) On the acquisition of the Telephone Co. by the P. & T. Department the Telephone Company ceased to function and the Department, in accordance with the understanding given by them took over the staff of the defunct company. The staff has thus become part and parcel of the P. & T. Department maintaining its status as gazetted and non-gazetted employees on the same lines as existed in the company's time. Secondly, in view of the fact that the gazetted staff of the *ex*-Company have been included in the list of the gazetted officers of the P. & T. Department—generally known as the Blue Book—and thus have been classified as gazetted officers of the P. & T. Dept., the non-gazetted employees of the acquired Bombay Telephone Company also should naturally be termed as non-gazetted employees of the P. & T. Department.

(*iii*) This point has been replied in the affirmative by the D.-G. P. & T. *vide* para. 9 of minutes of the meeting dated 12th March 1946.

APPENDIX IV—*contd.*

(*iv*) The Department cannot deny that the entire staff of the Bombay Telephone District and Workshops have, so far been allowed the same and nothing more than the relief so far granted to the other P. & T. staff.

(*v*) In view of para. 6 above, the reply to this point is in the affirmative.

It seems that the Administration has taken a revised stand appreciating the facts detailed above and it deserves to be thanked for reconsidering the whole issue in the new light.

8. The present dispute between the staff of the ex.-Bombay Telephone Co. Ltd., and the Administration is not a new one but of a long standing. Within one year after the formation of this union in 1941 the Telephone Workers being not satisfied with the poor scales of pay had to serve a notice of strike in 1942 when all the other methods had failed. As, however, the union did not want to embarrass the Administration while the war was on the strike was averted due to the intervention of Mr. Sur, the Secretary and Engineer to the now defunct Government Telephone Board Ltd., who was pleased to grant some of the union's demands. After the state of war was over as nothing had materialized towards the betterment of economic position of the staff the union was compelled to serve the strike notice referred to above in February, 1946, which resulted in the appointment of this adjudication.

9. India is a unique nation in the world. On the one hand its population is greater than that of any other nation—400 millions—while on the other it has no Government of its own but a foreign yoke. The result is that illiteracy is rampant and workers can be had in abundance—many times more than are actually required. In the language of economics the demand for labour is less than supply so that the present industrial system based on the principles of economics finds it convenient to exploit the situation and have labour at cheaper rate. The wages offered to workers are thus arbitrarily settled though under the guise of the so-called justice. The labourer who has been conveniently kept ignorant of his standard of earning is allowed no say in fixing his wages, though it is he who is affected—all this in the name of law and justice framed by the industrialist actuated by the profit-making motives and their associate the State. The position of the Telephone workers has been still more pitiable. Their's has been declared as essential service under the Ordinance for, of course, the convenience of the State. They have been called upon to sacrifice a lot. They were disallowed to accept jobs fetching richer opportunities outside which would have only helped them to secure decent living for their families, but had to stick up to their present duties in the same old pitiable condition. The Government, of course, had expressed their gratitude for the untiring duties performed by the Telephone workers during the trying years of war but have so far failed to grant even substantial relief.

10. Full advantage of the above factors was taken by the management of the now defunct Bombay Telephone Co. while originally devising the grades of pay for various categories of employees who entered services before March, 1933 which were quite inadequate. As 1933 was the time of industrial depression and acute unemployment among all classes of workers, the Management lost no opportunity to introduce reduced scales of pay known as new scales of pay for the same categories of employees. This time was also specially selected for framing the scales of pay for the clerical staff for the first time so that they could be conveniently fixed sufficiently low from the point of middle class standard of living. These scales have been allowed to continue till date though the conditions prevailing in 1933—35 have not remained the same during the last eight years more so due to the conditions created by war. Thus among the ex-Bombay Telephone Co. staff except the clerical staff there are at present two classes of workers in each category, both doing the same kind of work, sharing the same responsibility, and yet paid at different rates on identical lines with the other P. & T. staff.

11. My Union, therefore, contends that these differences in the wages of employees working in the Telephone District and Workshops, Bombay, and doing exactly the same kind of work are manifestly unjust and lead to heart burning and labour unrest and should be done away with and there should be a uniform rate of wages for all employees of the acquired ex-Bombay Telephone Co. staff doing work of the same kind. As a first measure to remove injustice the learned Adjudicator will be pleased to apply the old scales of pay to those who are at present on new scales of pay. As regards the clerks engaged since 1st April, 1943, on the P. & T. new scales of pay, it may be pointed out that in spite of the status of the General Manager, Bombay District and that of Manager, Bombay Telephone Workshops, being in no way less than that of Superintendent of Telegraph Workshops, Alipore and Jubbulpore, the recruitment made in the former is that of the grade clerks in the scale of Rs. 45—45—3—90—5—120 and not of First division clerks in the scale of Rs. 50—6—150 as in the latter though the duties performed by both are the same. This injustice must immediately be removed by transferring all the grade clerks in the office of the General Manager, Bombay District and the Manager, Bombay Telephone Workshops on to the First Division.

APPENDIX IV—*contd.*

12. "The Government of India have appointed a Pay Commission to enquire into the terms and conditions of service of its employees " says a Press Communique. The distinction between task of this adjudication and the Pay Commission is very clear. Not only is the interim relief that will be granted by this Court is temporary but it does not also permanently raise the level of wages. It, moreover, deprives the employees of the benefit which a permanent increase in wages would confer. If you, Sir, are satisfied that the cost of living is at least to a certain extent permanently gone up—and there is no doubt that it has permanently passed the pre-depression period of 1931—35—and that the standard of wages should also be proportionately increased then in the modest opinion of my union the just and fair way is to grant immediately the old scales of pay for all new entrants. The problem must be squarely faced and an attempt made to arrive at some permanent and lasting solution to survive at least till the acceptance of the recommendations of the Pay Commission which according to the past experience may require about five years to complete enquiries and findings and to submit ultimate reports.

13. Government have already announced that all Government officials drawing a salary up to Rs. 1,500 a month should get War Allowance of 17½% which constitutes one of the forms of relief. This clearly shows that this class of employees also is seriously affected by the rise in the cost of living. With this premise I feel considerable hesitation in expressing on the subject of extent and nature of further relief which has been rendered so highly technical by the course, the discussion has taken. The factors which in the opinion of my union should be taken into account by this adjudication in deciding the question of further relief are :—

(*i*) The extent to which the cost of living is risen.

(*ii*) The total purchasing power of the employee.

(*iii*) The extent to which the rise in the cost of living is neutralised, taking into consideration the various forms of relief so far granted by the Administration.

I, therefore, humbly submit that you, Sir, should please examine as to what were the average earnings of an employee in the month of August, 1939, and how far his real wages (in his pre-war standard of living) are affected by the abnormal rise in the cost of living. This is one of the safe and sound methods of dealing with the problem of further relief raised in this dispute and judged by this method the above mentioned contentions must inevitably prevail.

14. Even conceding (for the sake of argument) that the average basis wage which the employees in a particular cadre were drawing in the pre-war days was a fair wage—which it is not—this union claims that the employees should now be given a wage which in its purchasing power would be the same as the one received before the war. It will be observed that although in terms of rupees, annas and pies the employee gets his basic wage *plus* all the war-time relief granted by the Administration making up what is termed his 'total emoluments' he does not in terms of real wages get what he was getting before the war. The additional relief to be granted should, therefore, be such as will fully neutralise the rise in the cost of living and put the employee in the same position as he was before the war. In this connection, your attention is invited to the recent award on the trade dispute adjudicated upon by the Hon'ble Mr. Justice M. C. Chagla which lays down an average wage of Rs. 47 before the war is equivalent to Rs. 108 at present. In this adjudication you, Sir, are mainly concerned with the question whether the relief so far granted is adequate or not. This is exactly a matter which is referred to you for award and I am satisfied that a case has been made out for further relief on the lines suggested above.

15. With all due respect to the learned counsel of the Administration, I find myself unable to agree with him on his argument that adequate relief has already been granted to the P. & T. employees and that, therefore, no further relief is required. The basic conception of relief which underlies and explains the grant of it to an employee is that an attempt on the part of just and understanding Administration should be made to make good and neutralise the cut in the real wages consequent on the rise of cost of living and thus prevent undeserved hardships to the poor employee who finds that the present purchasing power of the rupee in terms of foodstuff, due to no fault of his, is less than half of its purchasing power in the pre-war days. It is, therefore, submitted that the relief that will be now granted by you, Sir, should be such as would restore the employee at least to his pre-war standard of life. This union has, therefore, evolved a scheme and submitted to the court for examination Charts E & F which prove categorically the nature and extent of relief required by the staff under question if ends of justice are to be maintained.

16. It is not clear on what basis the ex-Co.'s Management formulated the new scales of pay in 1933. Look from whatever angle you may, you fail to understand any hypothetical basis for this reduction in scales. The only aspect they seem to have taken into account is to reduce the working expenditure by laying hand, as is generally done, on the

APPENDIX IV—*contd.*

so-called non-gazetted employees who are already sufficiently lowly paid no matter whether the reduction is just or not. On broader lines there may be either or both of the following reasons for the reduction of scales :—

(*i*) The deteriorating financial position of the ex-Company.

(*ii*) Low cost of living.

As regards the former it may be seen from the annual reports of the ex-Co. during this period that its financial position was not deteriorating but on the other hand was very well progressing as usual. An attempt, has, therefore, been made by this union to take the cost of living index for the year 1932 as basis for the fixation of the new scales of pay in 1933 and see what loss the employees on these scales have so far suffered due to the continuous high cost of living. Charts A to E give a clear picture of such loss sustained by these employees during the course of last 13 years (1933 to 1945). The Administration, however, did try to minimise this loss by way of granting increased Dearness Allowance, Good Conduct Pay etc. from time to time but it can be seen that these concessions fall too short of the pitiable conditions in which a telephone worker has been living all these days and unless substantial relief as shown in cols. 5 & 6 of Chart E is forthcoming, he will be crushed in no time. It may be argued that the cost of living index as shown in the Chart are those published in the Labour Gazette of the Government of Bombay and are applicable for the Bombay Province only. It may then be pointed out that the jurisdiction of the Bombay Telephone District and Workshop extends over Bombay, Ahmedabad and Karachi only and hence these figures very well apply to the District and Workshop Staff of the I. P. & T. Department.

17. Chart E is thus based upon the assumption that the new scales of pay framed by the ex-Co.'s Management on the cost of living Index of 1932. In the absence of concurrence of this assumption by the other side, it is submitted that the staff represented by the Union should, at least, be allowed to draw "real value" of the pay at present drawn by them. Chart F is prepared in this direction and based on the formula laid down by Hon'ble Mr. Justice M. C. Chagla as shown in para. 15 above. It will be observed therefrom that the employees on new scales of pay have been receiving wages far from 'real' in spite of the various forms of war concessions granted by the Administration and in order to allow them pre-war standard of living the relief as shown in col. 6 of the Chart is absolutely necessary.

18. The majority of the staff of the ex-Bombay Telephone Co. acquired by the P. & T. Department to work in the Bombay Telephone District and Bombay Teleplone Workshops are recruited mainly from the lower middle class of Bombay and are much more seriously affected by the rise in the cost of living. The members of the staff complain that many of them have reached the maximum of their basic wage between Rs. 85 and Rs. 105. It should be noted that you, Sir, are called upon to deal with a public utility concern which cannot be solely actuated by the profit-making motive. The acquired Telephone system owes a duty to the public in as much as it is primarily concerned with rendering its services in a manner conducive to public interest and in the opinion of this union the Telephone system cannot discharge these duties with efficiency unless its employees are contented and properly remunerated for the specialised work done by them. The wages of the employees should, therefore, be such as to produce an efficient and contented body of men who can be trusted with the communication system of the premier cities of the importance of Bombay, Ahmedabad and Karachi. I hope that the Administration will bear me out on this fact that the strain imposed upon the Telephone worker during the war still continues though the state of war is declared to be ceased. The Administration will also bear testimony on the fact that the Automatic equipment in exchanges requires immediate renovation which could not be undertaken owing to the state of war and under its stress the staff had to work hard day in and day out to deal with the heavy load of traffic. It is high time the Administration should relieve the staff of its extra strain by immediately launching wide expansion scheme to cope with the present load of traffic.

19. A special reference of the so-called inferior staff in the Bombay Telephone District and Workshops need be made. Their scales of pay have always been too inadequate even for bare subsistence. More so in view of the fact that in accordance with the nature of the responsible duties performed by them they are sufficiently skilled (though continued to be termed as inferior servants) for promotion to the superior cadres ; moreover theirs is a more risky job and there are instances that these employees have lost their lives for no great fault of their own. In spite of this inadequacy the Management of the ex-Bombay Telephone Co. as well as the P. & T. authorities unreasonably reduced their scales of pay in 1933 and 1931 respectively. The union, therefore, urges that taking all the environments into consideration you, Sir, will be pleased to grant such relief as will enable this class of employees to maintain a reasonable number of members of the family on a decent standard of living. While on this subject it may be pointed out that the Compensatory House Rent Allowance at 10 per cent. of the monthly salary sanctioned to all the superior non-gazetted staff of the Department has not been extended to the inferior staff. It may be in order so far as the inferior staff of the P. & T. Department is concerned, they being in

APPENDIX IV—*concld.*

receipt of the fixed house-rent allowance in lieu of rent-free quarters ; the inferior staff on the ex-Company's scales of pay, however, have neither and to deny this allowance to them is only to add to their already pitiable condition. It is, therefore, requested that before any award for "further relief" is granted, the extension of the grant of this compensatory House Rent Allowance to the ex-Telephone Company's inferior servants as well as daily rated but monthly paid staff of District and Workshop may be recommended with effect from the date the same has been sanctioned to the superior staff.

20. In conclusion, my union's prayer to you, Sir, is that you will please take the following factors into account while framing your award :—

(1) That the relief, in various forms, so far granted by the Administration should be allowed to all classes of workers irrespective of superior or inferior, work-charged or regular establishment of the P. & T. staff or the ex-Bombay Telephone Co. staff acquired by the Government.

(2) That the post-1933 employees of the ex-Bombay Telephone Co. should be restored the old scales of pay in view of the exactly same duties performed.

(3) That due to the cost of living Index having gone regularly high since 1933, the average worker has sustained loss which has now scared very high the result being that he has to incur heavy debts.

(4) That the telephone worker who has been brought under the essential services ordinance had not only to sacrifice a lot but had also to do tiresome jobs during the critical years of war.

(5) That the telephone worker, judged from the nature of duties performed by him must be treated as a skilled worker—even the so-called inferior servant.

(6) That the award to be given should be two-fold—

(*a*) a lump sum to make good the loss sustained so far and clear away the debts.

(*b*) substantial rise in the monthly emoluments to enable the worker to live a decent standard of life.

I have the honour to be,

SIR,

Your most obedient servant,

SIMLA :

May, 1946.

Jt. Hony. Secretary.

Resolution of the Telephone Workers' Union District & Workshops (I. P. & T. Dept.)

Dated 18th March, 1946.

After hearing the Representatives of the union sent to Delhi and on perusal of the replies given by the Director-General, this extraordinary General Body Meeting of the union appeals the Government that the union should be given full scope to place its case irrespective of ex-Bombay Telephone Co. or P. & T., before the Adjudicator as per Director-General's verbal assurance with a view to secure relief in the interim period till the receipt of re-commendation of Pay Commission. In the event of the Adjudicator's Award being unsatisfactory the Telephone Workers will be constrained to go on strike at an earliest opportunity after two months from the date of Award of Adjudication. This meeting appeals to Director-General that the recommendation of the Adjudicator should be binding on the Government.

This General Body meeting further requests the Director-General to take immediate steps in answering satisfactorily all the representations forwarded to him at Delhi on 14th March, 1946 with a view to minimise the discontent felt by the members of the workshops and District.

However, in the light of the foregoing this General Body Meeting withdraws the notice of strike served on the Government as per resolution, dated 20th February, 1946.

APPENDIX V

(*See* CHAPTER I.)

List of Witnesses examined

Serial No.	Date	Names and addresses
1	8-5-46	Mr. Biswanath Dutta, Barabazar T. S. O., *Calcutta.*
2	8-5-46 9-5-46	Mr. Azhar Hosain, Clerk, *Suri P. O.*, Berhampore (Bengal).
3	9-5-46	Mr. Ganesh Keshav Patki, Clerk, G. P. O., Bombay.
4	9-5-46	Mr. L. N. Rajagopalan, Engineering Supervisor, Phones, Connaught Place Telephone Exchange, *New Delhi.*
5	9-5-46 10-5-46	Mr. S. M. Ali Imam Dara, Sorter, R. M. S., R. Division, *Amritsar.*
6	10-5-46	Mr. T. S. Subramanian, Telegraphist (Circle scale), Madras.
7	10-5-46	Mr. Badal Chandra Bhar, Sorter, E. Division (Section 17), *Calcutta.*
8	10-5-46	Mr. K. Ramamurti, G. P. O. Group, *Madras.*
9	13-5-46	Mr. Sudhindra Kumar Gupta, Wireless Operator, *Calcutta.*
10	13-5-46	Mr. Bhajan Lal Bhandari, Clerk, Office of the Superintendent of R. M. S., D. Division, *Delhi.*
11	13-5-46	Mr. Muhammad Usman Khan, Telegraph Clerk, *Bombay.*
12	14-5-46	Mr. John Roberts, Mechanic, Central Telegraph Office, *Karachi.*
13	14-5-46	Mr. Ganesh Damodar Mahajan, Telegraphist (Circle Service), Central Telegraph Office, *Bombay.*
14	14-5-46	Mr. Kauleswar Prasad, Sorter, R. M. S., D. Division, Gaya.
15	14-5-46 15-5-46	Mr. Haranandan Prasad Seth, Sub-Postmaster, Boileau Ganj Post Office, *Agra.*
16	15-5-46	Mr. Saktiswar Banerjee, Clerk, Telephone Revenue Accounts Office, *Delhi.*
17	15-5-46	Mr. Hari Narayan Ingle, Clerk, Office of the Superintendent of Post Offices, *Akola.*
18	15-5-46	Mr. T. Bhavnarayana, Sorter, R. M. S., *Bezwada.*
19	15-5-46 16-5-46	Mr. S. R. Sangeet Rao, 1st Division Clerk, Circle Office, *Nagpur.*
20	16-5-46	Mr. Shiv Dutt, Lineman, Telegraph Engineering, *Agra.*
21	16-5-46	Mr. Mohammad Hussain I, Munshi Marker, Central Telegraph Office, *Lahore.*
22	16-5-46	Mr. Mehar Uddin, Porter, R. M. S., *Simla.*
23	16-5-46	Mr. Gian Prakash, Telephone Operator, *Delhi.*
24	16-5-46	Mr. Rampada Lahiri, Assistant Foreman, Telegraph Workshops, *Calcutta.*
25	16-5-46	Mr. Motiram Gupta, Carrier Attendant, Office of the Divisional Engineer, Telegraphs, *Madras.*
26	16-5-46	Mr. V. T. George, Exchange Instructor, Telephones, *Madras.*
27	16-5-46	Mr. Abdur Razzaq Sonnamat.

APPENDIX V—*concld.*

Serial No.	Date	Names and addresses
28	16-5-46	Mr. Abdul Salam Meah, Clerk, Telegraph Office, *Calcutta.*
29	16-5-46	Mr. R. J. Gandhi, Mistry, Central Telegraph Office, *Bombay.*
30	16-5-46	Mr. R. V. Laghate, Clerk, Circle Office, *Bombay.*
31	20-5-46	Mr. Munuswamy, Postman, *Madras.*
32	20-5-46	Mr. Jai Bhagawan Sharma, Postman, *Delhi* G. P. O.
33	20-5-46	Mr. Viswanath Dubey, Postman, *Cawnpore.*
34	21-5-46	Mr. P. M. Krishnan, Postman, Triplicane Post Office, *Madras.*
35	22-5-46	Mr. Mohammad Haniff, Acting Postman, *Lucknow.*
36	22-5-46	Mr. Rustam Ali, R. M. S. Porter, *Kalka.*
37	22-5-46	Mr. M. C. Kar, Postman, *Dacca.*
38	22-5-46	Mr. Mohamed Ishaque, Officiating Postman, *Dacca.*
39	23-5-46	Mr. Kunwar Bahadur Singh, Postman, *Jubbulpore.*
40	23-5-46	Mr. Puranlal Khare, Acting Postman (Head Office), *Jubbulpore.*
41	24-5-46	Mr. Ramdhani Prasad, Postman, Benares.
42	24-5-46	Mr. Lukbir Singh, Postman, *Amritsar.*
43	30-5-46	Mr. Gajanan Dhondibhai Dhorjee, Telegraph Messenger, *Poona.*
44	30-5-46 31-5-46	Mr. Dattatraya Bapu Bhatt Joshi, Packer (Acting Postman), *Poona.*
45	31-5-46	Mr. Gulzari Lal, Temporary Sorter, *Lahore.*
46	31-5-46	Mr. Malhari Hariba Shinde, Postman, *Poona.*
47	31-5-46	Mr. R. B. Nalawade, Lineman, *Poona.*
48	31-5-46	Mr. Shankar Vishnu Pingle, Postman, *Poona.*
49	31-5-46	Mr. Kalunamdeo Khadkar, Postman, *Poona.*
50	1-6-46	Mr. Suraj Ram, Postman, *Jammu Tawi.*
51	1-6-46	Mr. Mohammad Shafi, Packer, *Amritsar.*
52	1-6-46	Mr. Ramkrishna Chatterjee, Clerk, Bowbazar P. O., *Calcutta.*
53	1-6-46	Mr. Khayali Ram, Postman, *Simla.*
54	3-6-46	Mr. Kishan Chand, *Amritsar.* (Evidence rejected).
55	3-6-46	Mr. H. Bhattacharyya, Stenographer to the Presidency Postmaster, *Calcutta.*
56	4-6-46	Mr. S. R. Deshpande, M.B.E., Director, Cost of Living Index Scheme, *Simla.*

APPENDIX VI

(*See* CHAPTER III.)

Statement showing Old and Revised rates of pay

Offices of Heads of Circles, etc.

	Old Scale Rs.	Revised Scale Rs.
	SECTION I	
(*a*) *Supervisory Posts* :		
(1) Office Superintendent :—		
Calcutta and Bombay	350—20—450 +CA Rs. 15.	200—10—250 + Spl. pay Rs. 50.
Lahore, Lucknow and Madras	350—20—450	Do.
(2) (*a*) Head Assistants :—		
Calcutta and Bombay	250—20—350 +CA Rs. 15.	200—10—250 + Spl. pay Rs. 25.
(*b*) Office Superintendents :—		
Karachi, Nagpur and Patna Head Assistants / Lahore, Lucknow and Madras	250—20—350	Do.
(3) (*i*) Junior Selection Grade :—		
Calcutta and Bombay	160—10—250+ CA Rs. 10 upto Rs. 170 and Rs. 15 thereafter.	160—6—190
Other stations	160—10—250	Do.
(*ii*) Senior Selection Grade :—		
Calcutta and Bombay	250—20—350 + CA Rs. 15.	200—10—250.
Other stations	250—20—350	Do.
(4) Managers of Postal Stock Depots :—		
(*i*) Junior Grade	160—10—250	160—6—190 + Spl. pay Rs. 25.
(*ii*) Senior Grade		
Bombay and Calcutta	250—20—350 + CA Rs. 15.	200—10—250 + Spl. pay Rs. 25.
Lahore and Madras	250—20—350	Do.
(5) First Division Clerks :—		
Bombay	60—5—160	50—5—150 + CA Rs. 5.
Calcutta	50—6—110—5—160	50—5—150.
Karachi	50—5—150	Do.
Lucknow, Lahore and Delhi	45—5—145	45—5—145.
Madras	40—6—100—5—150	Do.
Jubbulpore	40—5—140	40—5—140.
Nagpur and Patna	Do.	45—5—145.
(6) Second Division Clerks :—		
Bombay	60—4—100	45—2—65—3—95 + CA Rs. 5.
Calcutta	50—5—100	45—2—65—3—95.
Karachi	50—4—90	Do.
Lahore, Lucknow and Delhi	45—4—85	40—2—60—3—90.
Madras	40—5—90	Do.
Nagpur and Patna	40—4—80	Do.
Jubbulpore	Do.	35—2—55—3—85.

APPENDIX VI—*contd.*

	Old Scale Rs.	Revised Scale Rs.
	SECTIONS II & III	
(1) (*a*) Selection Grade		
(*i*) Junior Selection Grade :—		
Bombay and Calcutta	160—10—250 + CA Rs. 10 upto Rs.170 and Rs. 15 thereafter.	130—6—190 + CA Rs. 17.
Other stations	160—10—250	130—6—190.
(*ii*) Senior Selection Grade :—		
Bombay and Calcutta	250—20—350 + CA Rs. 15.	200—10—250 + CA Rs. 17.
Other stations	250—20—350	200—10—250.
(2) (*b*) Clerks, Sorters and Sub-postmasters, etc.		
Baluchistan	60—5—160	45—45—3—90—5—120.
Calcutta	50—6—110—5—160	Do.
Karachi, Persian Gulf including Mekran Coast	50—5—150	45—45—3—90—5—120.
Bombay	60—5—160	45—45—3—90—5—120 + CA Rs. 5.
Dacca, Darjeeling, Shillong, Patna, Ranchi, Nagpur, Dhanushkodi, Hyderabad (Deccan), Abbottabad.	40—5—140	40—40—3—85—5—115.
Ahmedabad and Poona	50—5—150	Do.
Madras	40—6—100—5—150	Do.
Ootacamund, Mussoorie, Nainital.	30—5—135	Do.
Amritsar, Delhi, Lahore, Peshawar, Rawalpindi, Simla, Agra, Allahabad, Benares, Cawnpore, Lucknow and Meerut.	45—5—145	40—40—3—85—5—115.
Rest of B. & A., S. & B. and Bombay Circles and Jubbulpore, Bangalore, Madura and Ambala.	40—5—140	35—35—3—80—5—110.
Rest of B. & O., Central Madras, Punjab & N. W. F. and U. P. Circles.	35—5—135	Do.
	SECTION IV	
(1) (*a*) Head Postmen, Departmental Branch Postmasters, Overseers, etc.—		
Baluchistan	60—4—100	35—2—55.
Bombay	Do.	35—2—55 + CA Rs. 5.
Calcutta	50—5—100	35—2—55.
Karachi, Persian Gulf including Mekran Coast, Ahmedabad and Poona.	50—4—90	Do.
Rest of B. & A., Bombay, S. & B. Circles and Hyderabad (Deccan), Abbottabad, Nagpur, Jubbulpore, Patna, Ranchi, Madura, Bangalore, Dhanushkodi, Ambala.	40—4—80	Do.

APPENDIX VI—*contd.*

	Old Scale Rs.	Revised Scale Rs.
Madras	40—5—90	35—2—55.
Agra, Allahabad, Benares, Cawnpore, Lucknow, Meerut, Lahore, Delhi, Rawalpindi, Simla, Peshawar and Amritsar.	45—4—85	Do.
Rest of U. P., B. & O., Central, Madras and Punjab & N. W. F. Circles.	35—4—75	Do.
(1) (*b*) *Inspectors of Peons*:		
Madras	40—6—100—5—150	Do.
Karachi	50—5—150	Do.
Calcutta	50—6—110—5—160	Do.
Bombay	60—5—160	35—2—55 + CA Rs. 5.
	SECTION V	
(*a*) Postman, Village Postman, Mail Guards and Departmental Stamp Vendors. —		
Bombay	30—1—50	24—1/2—34 + CA Rs. 5.
Baluchistan, Karachi and Persian Gulf.	Do.	24—1/2—34.
Calcutta and Mekran Coast	25—1—45	Do.
Ahmedabad and Poona	30—1—50	22—1/2—32.
Dhanushkodi, Hyderabad (Deccan), Patna, Ranchi, Nagpur, Dacca, Darjeeling, Shillong.	20—1—40	22—1/2—32.
Abbottabad, Mussoorie, Nainital, Ootacamund.	18—1—38	Do.
Madras, Amritsar, Delhi, Lahore, Peshawar, Rawalpindi, Simla, Agra, Allahabad, Benares, Cawnpore, Lucknow and Meerut.	23—1—43	Do.
Rest of B. & A., Bombay, S. & B. Circles, Jubbulpore, Bangalore, Madura and Ambala.	20—1—40	18—1/2—28.
Rest of B. & O., Central, Madras, Punjab & N. W. F. and U. P. Circles	18—1—38	Do.
(*b*) Linemen:		
Bombay	20—1—40 + CA Rs. 10	24—1/2—34 + CA Rs. 5.
Calcutta	20—1—40 CA Rs. 5	24—1/2—34.
Baluchistan and Karachi	20—1—40 CA Rs. 10	24—1/2—34 CA Rs. 7/8/-.
Ahmedabad and Poona	20—1—40 CA Rs. 10	22—1/2—32.
Delhi, Amritsar, Peshawar, Rawalpindi and Simla.	18—1—38 CA Rs. 5	22—1/2—32 + CA Rs. 2.
Agra, Madras, Cawnpore, Meerut, Benares, Lucknow and Allahabad.	Do.	22—1/2—32.
Patna, Ranchi, Nagpur, Hyderabad (Deccan), Dhanushkodi.	18—1—38 + CA Rs. 2	22—1/2—32.
Ootacamund, Abbottabad, Mussoorie, Nainital.	18—1—38	Do.

APPENDIX VI—*contd.*

	Old Scale Rs.	Revised Scale Rs.
Dacca, Darjeeling, Shillong	20—1—40	22—1/2—32.
Jubbulpore, Bangalore, Madura, Ambala.	18—1—38 CA Rs. 2	18—1/2—28.
Rest of B. & A., S. & B. and Bombay Circles.	20—1—40	18—1/2—28.
Rest of places in other Circles	18—1—38	Do.
(*c*) Shroffs and Bill Sircars :		
Bombay	60—4—100	24—1/2—34 CA Rs. 5.
Karachi	50—4—90	24—1/2—34.
Baluchistan	60—4—100	Do.
Calcutta	50—5—100	Do.
Madras	40—5—90	22—1/2—32.
Ahmedabad	50—4—90	Do.
Patna, Nagpur, Hyderabad (Deccan).	40—4—80	22—1/2—32.
Calicut	35—4—75	18—1/2—28.
Barrackpore, Chittagong, Narayangunj, Madura, Bangalore, Secunderabad, Ambala.	40—4—80	Do.
SECTION VI		
(*a*) Assistant Foremen, etc.	150—10—350 + HRA Rs. 40.	100—100—5—120—10—200+HRA Rs. 20.
(*b*) Foremen :		
1st Class	300—20—700 + HRA 75.	220—15—340 + HRA Rs. 40.
2nd Class	200—10—300—20—500 + HRA 50.	
SECTION VII		
Telegraphs Masters :		
Bombay and Calcutta	200—10—250	130—10—250 + CA Rs. 17.
Other stations	200—10—250	130—10—250.
SECTION VIII		
Wireless Operators	80—5—100—10—250	60—5—150.
SECTION IX		
Supervisors in the Telegraph Engineering and Wireless Branches :		
Bombay and Calcutta	120—5—140—10—290—20—350.	80—5—120—10—240 + CA Rs. 10 upto Rs. 120 and Rs. 17 thereafter.
Other stations	Do.	80—5—120—10—240
SECTION X		
Telegraphists :		
Bombay	55—5—120—10—180	45—45—3—60—4—120 +CA Rs. 5 (minimum psy Rs. 55).
Other stations	Do.	45—45—3—60—4—120 (minimum pay Rs. 55).

APPENDIX VI—*contd.*

	Old Scale Rs.	Revised Scale Rs.
	SECTION XI	
Line Inspector—		
Bombay	115—5—140 CA Rs. 15.	90—5—115 CA Rs. 5.
Calcutta	115—5—140 CA Rs. 15.	90—5—115.
Rest of B. & A., Bombay and S. & B. Circles.	115—5—140	Do.
B. & O., Central, Madras, Punjab and N. W. F. and U. P. Circles.	110—5—135	Do.
	SECTION XII	
Sub-Inspectors—		
Bombay	40—5—110 + CA Rs. 15	35—5—85 CA Rs. 5.
Calcutta	40—5—110 CA Rs. 12	35—5—85.
S. & B. and rest of B. & A. and Bombay Circles.	40—5—110	Do.
B. & O., Central, Madras, Punjab & N. W. F. and U. P. Circles.	35—5—105	Do.
	SECTION XIII	
(*a*) (*i*) Mistries of Telegraph Engineering Branch—		
Simla, Lahore and Delhi	120—5—145	40—3—91—95.
Cawnpore	110—5—140	Do.
(*a*) (2) Electric Mistries—		
Lahore Post Office	45—5—140	Do.
(*a*) (3) Mistries and Cable Jointers of the Telegraph Engineering Branch and Engine Drivers and Mistries of the Wireless Branch—		
Bombay and Baluchistan	60—5—130	45—3—96—100.
Calcutta	50—6—110—5—130	Do.
Karachi and Persian Gulf	50—5—120	Do.
Ahmedabad and Poona	Do.	40—3—91—95.
Cawnpore, Simla, Lahore, Delhi, Rawalpindi, Peshawar, Meerut, Allahabad, Agra and Lucknow.	45—5—115	Do.
Ootacamund, Mussoorie and Nainital.	35—5—105	Do.
Madras	40—6—100—5—120	Do.
Dacca, Darjeeling, Shillong, Patna, Ranchi, Nagpur, Abbottabad, Dharushkodi, Hyderabad (Deccan).	40—5—110	Do.
Ambala, Bangalore, Jubbulpore, Madura, Rest of B. & A., Bombay and S. & B. Circles.	Do.	30—3—81—85.

APPENDIX VI—*contd.*

	Old Scale Rs.	Revised Scale Rs.
Rest of B. & O. Central, Madras, Punjab & N. W. F. and U.P. Circles.	35—5—105	30—3—81—85
(*a*) (4) Mistries (including Head Carpenters) and Assistant Jointers and Assistant Engine Drivers (Wireless)—		
Bombay, Baluchistan .	60—4—100	45—3—96—100
Calcutta	50—5—100	Do.
Karachi, Persian Gulf (including Meckran Coast).	50—4—90	Do.
Ahmedabad and Poona	Do.	40—3—91—95
Madras	40—5—90	Do.
Agra, Allahabad, Amritsar, Benares, Cawnpur, Delhi, Lahore, Lucknow, Meerut, Peshawar, Rawalpindi and Simla.	45—4—85	Do.
Mussoorie, Nainital and Ootacamund.	35—4—75	Do.
Dacca, Darjeeling, Shillong, Abbottabad, Dhanushkodi, Hyderabad (Deccan), Nagpur, Patna and Ranchi.	40—4—80	Do.
Ambala, Bangalore, Jubbulpore, Madura, rest of B. & A., Bombay and S. & B. Circles.	Do.	30—3—81—85
Rest of B. & O., Central, Madras, Punjab & N. W. F. and U. P. Circles.	35—4—75	Do.
(*b*) (1) Carpenters, Painters, Bicycle Mistries—		
Bombay, Karachi . . .	30—1—50	25—1—45
Calcutta	25—1—45	25—1—45
Cawnpore, Lahore, Madras, Lucknow.	23—1—43	20—1—40
Madura	20—1—40	16—1—36
Indore	18—1—38	Do.
(*b*) (2) Assistant Mistries—		
Calcutta	30—2—50 CA Rs. 5	25—1—45
'A' Group localities (excluding Asstt. Telegraph Mistries in Calcutta).	30—2—50	25—1—45
'B' Group localities. . .	Do.	20—1—40
'C' Group localities . . .	Do.	16—1—36
	SECTION XIV	
(1) Indian Commissionaire . .	30—1/5—35	40—40—2—70
(2) Commissionaire Karachi .	40 fixed	40—40—2—70
(3) Caretaker Bombay G. P. O. .	100 fixed	Do.
(4) Sanitary Overseer Bombay G.P.O.	75 fixed	Do.
(5) Conservancy Inspector Calcutta C.T.O.	40—1—50—2—70	Do.

	Old Scale Rs.	Revised Scale Rs.
	SECTION XV	
Runners—		
Calcutta, Alipore and Howrah	17—/4/—22	12—1/4—17
Rest of B. & A. and Bombay Circle.	14—/4/—19	Do.
B. & O., Central, Madras, Punjab and N. W. F. and U. P. Circles.	13—/4/—18	Do.
S. & B. Circle	15—/4/—20	Do.
	SECTION XVI	
(*a*) Record Suppliers—		
Bombay	60—4—100	20—1/2—28 CA Rs. 5
Calcutta	50—5—100	20—1/2—28
Karachi.	50—4—90	Do.
Lahore and Delhi	45—4—85	18—1/2—26
Patna	40—4—80	Do.
Lahore	20—1—40	Do.
(*b*) Ferro typers multigraphers, Remington-printer Operators, Gestetner Operator, Markers, Duftries, Form Suppliers and Pickers, Binders and Attenders—		
Bombay	30—1—40	20—1/2—28 CA Rs. 5
Karachi.	Do.	20—1/2—28
Calcutta	20—1—30	Do.
Madras, Lahore, Delhi, Lucknow, Agra, Rawalpindi, Nagpur, and Patna	20—/8/—25	18—1/2—26
Ambala	Do.	16—1/2—24
(*c*) Jamadars—		
Bombay	30—1—35	20—1/2—28 CA Rs. 5
Calcutta	25—1—30	20—1/2—28
Karachi and Baluchistan	27—1—32	Do.
Ahmedabad	30—1—35	18—1/2—26
Poona	25—1—30	Do.
Dacca, Darjeeling, Shillong, Hyderabad (Deccan), Dhanushkodi.	21—1—26	18—1/2—26
Madras	22—1—27	Do.
Ootacamund, Nagpur, Abbottabad, Agra, Allahabad, Cawnpore, Meerut, Lucknow and Benares.	20—1—25	Do.
Lahore, Delhi, Simla, Peshawar, Rawalpindi & Amritsar.	23—1—28	Do.
Patna, Ranchi, Mussoorie, Nainital.	19—1—24	Do.
Rest of B. & O., Central and U.P. Circles.	Do.	16—1/2—24

APPENDIX VI—*contd.*

	Old Scale Rs.	Revised Scale Rs.
Rest of B. & A., Bombay Circles and Madura.	21—1—26	16—1/2—24
Rest of Madras and Punjab and N. W. F. Circles and Jubbulpore.	20—1—25	Do.
Ambala and D. I. Khan . .	23—1—28	Do.
	SECTION XVII	
Boy Peons, Boy Messengers and Boy Farashes—		
Bombay	18—1/3—20	12—1/2—15+CA Rs. 2
Karachi and Baluchistan .	15—1/3—17	12—1/2—15
Calcutta, Alipore and Howrah .	12—1/3—14	Do.
Poona	12—1/3—14	10—1/2—13
Ahmedabad	18—1/3—20	Do.
Nagpur, Patna and Ranchi .	8—1/3—10	Do.
Madras	11—1/3—13	Do.
Abbottabad, Amritsar, Delhi, Lahore, Peshawar, Rawalpindi, Simla, Agra, Allahabad, Lucknow, Dacca, Darjeeling, Shillong.	10—1/3—12	Do.
Ootacamund, Hyderabad (Deccan), Dhanushkodi, Benares, Cawnpore, Meerut, Mussoorie, Nainital.	9—1/3—11	10—1/2—13
Rest of Bombay and S. & B. Circles.	12—1/3—14	8—1/2—11
Rest of B. & O. and Central Circles.	8—1/3—10	Do.
Rest of Punjab and N. W. F. and B. & A. Circles.	10—1/3—12	Do.
Rest of Madras and U. P. Circles.	9—1/3—11	Do.
	SECTION XVIII	
(*a*) Packers, Porters, Chawkidars, etc.—		
Bombay	25—/8/—30	16—1/5—18+CA Rs. 4
Baluchistan and Karachi .	22—/8/—27	16—1/5—18
Calcutta, Persian Gulf (including Meckran Coast).	18—/8/—23	16—1/5—18
Ahmedabad	25—/8/—30	15—1/5—17
Dacca, Darjeeling, Shillong, Dhanushkodi, Hyderabad (Deccan).	16—/8/—21	Do.
Poona	20—/8/—25	Do.
Madras	17—/8/—22	Do.
Ootacamund, Abbottabad, Agra, Allahabad, Benares, Cawnpore, Lucknow, Meerut, Nagpur.	15—/8/—20	Do.
Amritsar, Delhi, Lahore, Peshawar, Rawalpindi, Simla.	18—/8/—23	Do.

APPENDIX VI—*concld.*

	Old Scale Rs.	Revised Scale Rs.
Mussoorie, Nainital, Patna, Ranchi.	14—/8/—19	15—1/5—17
Rest of B. & A. and Bombay Circles and Bangalore and Madura.	16—/8/—21	14—1/5—16
Rest of B. & O., Central and U. P. Circles.	14—/8/—19	Do.
Jubbulpore, rest of Madras and Punjab & N.W.F. Circles.	15—/8/—20	Do.
Bannu, Dera Ghazi Khan, D. I. Khan, Kohat, Lyallpur, Montgomery, Sargodha and rest of S. & B. Circle.	17—/8/—22	Do.
Ambala	18—/8/—23	Do.
(*b*) Task-work Messengers—		
Quetta	11—/4/—16	8—1/5—10
Bombay and Karachi . .	12—/4/—17	Do.
Calcutta	10—/4/—15	Do.
Darjeeling, Shillong, Dacca, Ootacamund, Hyderabad (Deccan).	9—/4/—14	7—1/5—9
Patna, Nagpur, Agra, Allahabad, Cawnpore, Lucknow, Mussoorie, Nainital, Meerut and Benares.	8—/4/—13	Do.
Ahmedabad, Poona, Madras, Amritsar, Delhi, Lahore, Peshawar, Rawalpindi, Simla.	10—/4/—15	Do.
Chittagong, remaining places in Madras, Punjab and N. W. F. Circles.	9—/4/—14	6—1/5—8
Umarkhadi	12—/4/—17	Do.
Ambala, Bannu, D. I. Khan, Kohat and remaining places in Bombay Circle and Sind.	10—/4/—15	Do.
Remaining places in Central and U. P. Circles.	8—/4/—13	Do.

APPENDIX VII

(*See* CHAPTER IV.)

STATEMENT SHOWING STRENGTH OF P. & T. NON-GAZETTED STAFF

Sections and classes of officials given on pages 77-80 of Manual of Appointments and Allowances	Number of old entrants	Number of new entrants
I. Offices of Heads of Circles and offices of Controller of Telegraph Stores, Superintendent of Telegraph Workshops, Electrical Engineer-in-Chief and the Accounts Officer, Telephone Revenue, Delhi—		
(*a*) Supervisory Posts—		
Office Superintendents, Head Clerks, Assistant Managers and Managers of Postal Stock Depots.	218	13
(*b*) Accountants	7	441
(*c*) Clerks 1st Division	608	1,007
Clerks 2nd Division	33	558

APPENDIX VII—*concld.*

Sections and classes of officials given on pages 77-80 of Manual of Appointments and Allowances	Number of old entrants	Number of new entrants
II. Dead Letter Offices—		
Managers and Assistant Managers and Head Clerks .	22	...
III. Offices in all other branches of the Department— . .		
(*a*) Selection Grades	1,633	313
(*b*) Posts of Clerks, Sorters, Sub-Postmasters, Town Inspectors of Post Offices, Accountants, Telephone Operators, Telephone Inspectors, Time-keepers and Overseers in charge of building works.	17,947	23,820
IV. Head Postmen, Departmental Branch Postmasters, Mail and Cash Overseers, Overseer Postmen, Reader or Sorting Postmen, Inspector of Peons, and Departmental Stamp Vendors in presidency towns.	2,077	552
V. Postmen, Village Postmen, Mail Guards, Linemen, Line-riders, Departmental Stamp Vendors at places other than presidency towns, shroffs and bill sircars.	20,240	18,075
VI. Assistant Foremen, Foremen, Examiners and Instrument Testers.	6	53
VII. Telegraph Masters	315	39
VIII. Wireless Operators	34	537
IX. Engineering Supervisors, Telephone Supervisors, electrical Supervisors, Wireless Supervisors and Cable Supervisors.	181	575
X. Telegraphists	1,280	2,082
XI. Line Inspectors.	63	10
XII. Sub-Inspectors.	965	145
XIII. (*a*) Mistries, Electrical Mistries, Cable Jointers, Engine Drivers, Assistant Engine Drivers, Head Carpenters, Head Bicycle Mistries, Motor Drivers and Serangs.	325	1,285
(*b*) Carpenters, Painters, Bicycle Mistries, Assistant Mistries and Motor Men.	11	154
XIV. Conservancy Inspectors, Care takers, Sanitary Inspectors and Commissionaires.	4	20
XV. Runners	7,170	4,622
XVI. Record Suppliers, Ferro Typers, Multigraphers, Compositors, Remprinter, Operators, Markers, Duftries, Form Suppliers, Form Pickers, Binders, Attenders, Jamadars, Hall Jamadars, Head Porters, Overseers in Railway Mail Service, Havildars, Head Peons and Mukadams.	409	228
XVII. Boy Peons, Boy Messengers and Boy Farashes . .	201	2,055
XVIII. (*a*) Packers, Porters, Messengers other than Task-work Messengers, Chowkidars, Watchmen, Gatemen, Hamals, Durwans, Office Peons, Farashes, Mail Peons, Letter-box Peons, Van Peons, Boatmen, Dandies, Manjhis, Tindals, Lascars, Cable-guards, Attendants, Batterymen, Line Coolies, Telephone Coolies, Wire Coolies, Pressmen, Distributors, Inkers, Cleaners in Telephone Exchanges, Firemen, Liftmen, Weighmen, Lampmen, Khallasis, Coolies, Engine Coolies and other whole-time employees.	7,042	12,889
(*b*) Task-work Messengers	610	741
Total .	61,401	69,817

APPENDIX VIII

(*See* CHAPTER IV)

Statement showing percentage reduction made in old scales of pay

Posts and Telegraphs Department	Average of old scales of pay	Average of revised scales of pay	Percentage reduction	Percentage cut suggested by the Retrenchment Advisory Committee
1	2	3	4	5
1. Packers, Porters, Messengers other than Task-work messengers, Chowkidars, Watchmen, Gatemen, Hamals, Durwans, Office Peons, Farashes, Mail Peons, Letter-box Peons, Van Peons Boatmen, Dandies, Manjhis, Tindals, Lascars, Cable-Guards, Attendants, Batterymen, Line Coolies, Telephone Coolies, Wire Coolies, Pressmen, Distributors, Inkers, Cleaners in Telephone Exchanges, Firemen, Liftmen, Weighmen, Lampmen, Khallassis, Coolies, Engine Coolies and other whole-time employees of various classes.—				
Baluchistan and Karachi .	24	17	29	8
Bombay and its vicinity .	27	17+CA of Rs. 4	22	11
Calcutta, Persian Gulf (including Mekran Coast)	20	17	15	10
Ahmedabad . . .	27	16	41	11
Poona	22	16	27	9
Dhanushkodi, Hyderabad, Dacca, Darjeeling and Shillong.	18	16	11	11
Madras	19	16	16	11
Ootacamund, Abbottabad, Agra, Allahabad, Benares, Cawnpore, Lucknow, Meerut, Nagpur, Mussoorie, Nainital, Patna and Ranchi.	17	16	6	12
Amritsar, Delhi, Lahore, Peshawar, Rawalpindi, Simla.	20	16	20	10
Ambala	20	15	25	10

APPENDIX VIII—*contd.*

1	2	3	4	5
Bannu, Dera Ghazi Khan, Dera Ismail Khan, Kohat, Lyallpur, Montgomery, Sargodha and rest of S. & B. Circle.	19	15	21	11
Rest of Madras and Punjab and N. W. F. Circles and Jubbulpore and Nagpur.	17	15	12	12
Rest of B. & A., Bombay Circles and Bangalore and Madura.	18	15	17	11
Rest of B. & O., Central and U. P. Circles.	16	15	6	7
2. Postmen, Village Postmen, Mail Guards —				
Bombay	40	29+CA of Rs. 5	15	10
Persian Gulf (including Mekran Coast), Baluchistan and Karachi.	40	29	28	10
Calcutta	35	29	17	11
Ahmedabad and Poona .	40	27	32	10
Dhanushkodi, Nagpur, Patna, Ranchi, Hyderabad, Dacca, Darjeeling, Shillong.	30	27	10	10
Madras, Amritsar, Delhi, Lahore, Peshawar, Rawalpindi, Simla, Agra, Allahabad, Benares, Cawnpore, Lucknow, Meerut.	33	27	18	9
Rest of B. & A., Bombay and S. & B. Circles and Ambala, Jubbulpore, Bangalore and Madura.	30	23	23	10
Rest of B. & O., Central Madras, Punjab & N. W. F. and U. P. Circles.	28	23	18	11
Abbottabad, Mussoorie, Nainital, Ootacamund.	28	27	4	11
3. 2nd Division Clerks in Circle Offices—				
Bombay	80	70+CA Rs. 5	6	6
Calcutta	75	70	7	...
Karachi	70	65	7	...

APPENDIX VIII—*concld.*

1	2	3	4	5
Lahore, Madras . .	65	65	...	...
Lucknow . . .	65	65	...	5
Nagpur and Patna . .	60	65	Increase 8	8
4. 1st Division Clerks in Circle Offices—				
Bombay	110	100+ CA Rs. 5	5	9
Calcutta	105	100	5	5
Karachi	100	100	...	5
Lahore, Madras . .	95	95	...	5
Lucknow. . . .	95	95	...	8
Nagpur and Patna . .	90	95	Increase 6	11
5. Postal Clerks, Sorters, Sub-Postmasters, Town Inspectors of Post Offices, Accountants, Telephone Operators, Telephone Inspectors, Time Keepers and Overseers in charge of building works.				
Baluchistan . . .	110	83	25	9
Bombay	110	83+ CA Rs. 5	20	9
Calcutta	105	83	17	5
Karachi, Persian Gulf (including Mekran Coast).	100	83	17	5
Dacca, Darjeeling, Shillong, Patna, Ranchi, Dhanushkodi.	90	78	13	11
Hyderabad (Deccan), Abbottabad, Nagpur.	90	78	13	3
Amritsar, Rawalpindi, Simla, Agra, Cawnpore, Lucknow, Meerut, Allahabad, Benares, Peshawar, Delhi, Lahore, Madras.	95	78	18	5
Ahmedabad, Poona . .	100	78	22	10
Ootacamund, Mussoorie and Nainital.	85	78	8	6
Remaining places in B. & A., Bombay and S. & B. Circles and Jubbulpore, Bangalore, Madura, Ambala.	90	73	19	11
Remaining places in B. & O., Central, Madras, U. P. and Punjab and N.W.F. Circles.	85	73	14	6
6. Wireless Operators . .	150	105	30	...
7. Engineering Supervisors .	235	160	32	13
8. Junior Selection Grade .	205	160	22	15
9. Senior Selection Grade .	300	225	25	16

APPENDIX IX

(*See* CHAPTER VI)

ALLOWANCES, BENEFITS AND PRIVILEGES TO WHICH EMPLOYEES OF THE P. & T. DEPARTMENT ARE ELIGIBLE :—

1. *War allowance & Dearness allowance.*—At the rate of 17½ per cent. of pay subject to the following minimium :—

Area	Pay limit	Rate
	Below Rs. 40	Rs. 40 and above
A	20	22
B	16	18
C	14	16

2. *Good Conduct Pay.*—At the rate of Rs. 12 for men drawing pay below Rs. 40 and at the rate of Rs. 10 for men drawing Rs. 40 and above but not exceeding Rs. 160 subject to marginal adjustments at both ends.

3. *Compensatory allowance.*—On account of high cost of living at certain special localities mentioned in Ch. 31 and Appendix 10 of the Manual of Appointments and Allowances and in a few other places *e.g.* Karachi where the allowance has been sanctioned recently.

4. *House Rent Allowance.*—(*a*) Certain classes of P. & T. staff are entitled to rent free quarters or house-rent allowance in lieu thereof as a condition of service, *vide* Appendix 8 and 11 of the Manual of Appointments and Allowances. (*b*) Inferior staff and postmen are eligible for Government quarter free of rent wherever available (para 4 of App. 11 of Manual of Appointments and Allowances. (*c*) Certain classes of P. & T. staff who are not covered by (*a*) and (*b*) above are granted house rent allowance in certain localities on account of high rents prevailing therein, *vide* Ch. XXX and Appendix 10 of the Manual of Appointments and Allowances. (*d*) In Bombay, Calcutta & Delhi compensatory house-rent allowance to non-gazetted superior staff drawing pay not exceeding Rs. 500 p.m. is granted (1) upto 10 per cent. of the pay in the case of those who are not entitled to house rent allowance already, and (2) upto a total (*i.e.*, house rent allowance already eligible plus compensatory house rent allowance) of 20 per cent of their pay in the case of others. In the case of non-ministerial staff the amount payable is reduced by 50 per cent. of Overtime Allowance earned by them if any.

5. *Supply of Food Stuffs* at concessional rates in certain localities. The extent of the concession varies from place to place. In Tibet and Sikkim ration allowance at the rate of Rs. 15 p.m. is granted to the menial establishment.

6. *Winter Allowance.*—Staff in Simla can draw winter allowance in exchange for compensatory allowance [*vide* Appendix 5 of the Manual of Appointments and Allowances].

7. *Special Pay.*—granted for unhealthiness of localities at the rates shown in Appendix X (III) of the Manual of Appointments and Allowances.

8. *Miscellaneous Compensatory allowances e.g.*, Water allowance, boat allowance, fuel allowance, light allowance, ferry allowances are given in certain localities, *vide* Appendix 11 of Manual of Appointments and Allowances.

9. *Compensation under Workmen's Compensation Act, 1923.*

10. *Special Pay* is also granted to certain officials on account of arduous nature of the duties, and specific additions to the duties and responsibilities, *e.g.*, clerks employed as time scale supervisors, telephone operators employed as time scale monitors, etc.

APPENDIX IX—*contd.*

11. *Outstation allowance* is granted to R. M. S. Staff to meet the extra cost of food and drink when they are required to work away from their stations (*vide* para. 29 of Manual of Appointments and Allowances). The rate has been increased as a temporary measure for the period ending 28th February 1947. The increased rates are shown below :—

For absence from Headquarters

Class of officials	Exceeding 12 but not exceeding 24 hours	Exceeding 24 but not exceeding 36 hours	Exceeding 36 but not exceeding 48 hours
	As.	As.	As.
Sorters	8	16	24
Mail Guards	5	10	15
Van Peons & other inferior servants.	4	8	12

Allowance for absence exceeding 48 hours should be paid on the following basis :—

Sorters	8	For every 12 hours or part thereof, in addition to the rates for absence upto 48 hours.
Mail Guards	5	
Van Peons & other inferior servants.	4	

12. *Pie money.*—Telegraphists and postal signallers are granted Pie money for messages disposed of in addition to a prescribed minimum number on circuits which are treated as pie money circuits. The minimum number and the rate of pie money per message depends on the type of circuit.

13. *Task work earnings.*—In large office where the number of telegrams to be delivered per month is on the average about 2500 or more task work messengers are employed for the purpose. They are given subsistence allowance at the rates mentioned in statements and task work allowance for each telegram delivered. The rate of task work earnings are fixed by Heads of Circles, the general rule being that the total monthly task work earnings of an official should be about the same as the amount of subsistence allowance drawn by him. In actual practice, however, it is found that in almost all cases the task work earnings equal about double the subsistence allowance, if not more.

APPENDIX IX—*contd.*

Class of officials	Cost of supplying uniforms if employed in places where the average of daily minimum temperatures prevailing during the coldest month is 45° (F) or below		Cost of supplying uniforms if employed in places where the average of daily minimum temperatures prevailing during the coldest month is above 45° (F) but does not exceed 50° (F)		Cost of supplying uniforms if employed in places where the average of daily minimum temperatures prevailing during the coldest month of the year exceeds 50° (F)	
	Particulars of garments issued to each employee during the year	Annual cost of garments issued to each employee	Particulars of garments issued to each employee during the year	Annual cost of garments issued to each employee	Particulars of garments issued to each employee during the year	Annual cost of garments issued to each employee
1	2	3	4	5	6	7
	Cotton uniforms	Rs. A. P.	*Cotton uniforms*	Rs. A. P.	*Cotton uniforms*	Rs. A. P.
I. Overseers (Cash overseers, mail overseers, overseer postmen) and head postmen. Postmen, Village postmen, Mail guards, Jamadars of R. M. S. and Sub Inspectors of Telegraphs.	Three sets containing a pair of trousers coat & pugree every two years (cost per set Rs. 15).	22 8 0	Two sets consisting of a pair of trousers, coat & pugree (cost per set Rs. 15).	30 0 0	Two sets consisting of a pair of trousers, coat & pugree (cost per set Rs.15)	30 0 0
	Warm uniforms		*Warm uniforms*			
	One set consisting of a warm coat without lining and a pair of war trousers every two years (cost per set Rs. 20.)	10 0 0	One warm jersey for every two years (cost Rs. 6-8.)	3 4 0		
	Total .	32 8 0	Total .	33 4 0	Total .	30 0 0

APPENDIX IX—*contd.*

1	2	3	4	5	6	7
		Rs. A. P.		Rs. A. P.		Rs. A. P.
	Cotton uniforms		*Cotton uniforms*		*Cotton uniforms*	
II. Mail peons; letter box peons, van peons and chowkidars.	Three sets consisting of a pair of trousers, blouse and pugree every two years (cost per set Rs. 14).	21 0 0	Two sets consisting of a pair of trousers, blouses and pugree (cost per set Rs. 14).	28 0 0	Two sets consisting of a pair of trousers, blouse and pugree (cost per set Rs. 14).	28 0 0
	Warm uniforms		*Warm uniforms*			
	(One set consisting of a warm coat without lining and a pair of warm trousers every two years (cost per set Rs. 20).	10 0 0	One warm jersey for every two years (cost Rs. 6-8).	3 4 0		
	Total .	31 0 0	Total .	31 4 0	Total .	28 0 0
	Cotton uniforms		*Cotton uniforms*		*Cotton uniforms*	
III. Packers, porters, gate-guards, durwans, Jamadars, liftmen, batterymen, farashes and sweepers.	Two sets consisting of a pair of trousers, blouse and pugree (cost Rs. 14 per set).	28 0 0	Two sets consisting of a pair of trousers, blouse and pugree (cost per set Rs. 14).	28 0 0	Two sets consisting of a pair of trousers, blouse and pugree (cost per set Rs. 14).	28 0 0

	Warm uniforms				*Warm uniforms*						
	One warm jersey for every two years (cost Rs. 6-8-0).	3	4	0	One warm jersey for every two years (cost Rs. 6-8-0).	3	4	0			
	Total .	31	4	0	Total .	31	4	0	Total .	28	0	0
	Cotton uniforms				*Cotton uniforms*				*Cotton uniforms*			
IV. Telegraph messengers	Three sets consisting of knickers, cotton putties, blouse and pugree every two years (cost per set Rs. 16).	24	0	0	Two sets consisting of knickers, cotton putties, blouse and pugree (cost per set Rs. 16).	32	0	0	Two sets consisting of knickers, cotton putties, blouse and pugree (cost per set Rs. 16).	32	0	0
	Warm uniforms				*Warm uniforms*							
	One set consisting of a warm coat without lining and a pair of warm trousers every two years (cost per set Rs. 20).	10	0	0	One warm jersey for every two years (cost Rs. 6-8-0).	3	4	0				
	Total .	34	0	0	Total .	35	4	0	Total .	32	0	0
	Cotton uniforms				*Cotton uniforms*				*Cotton uniforms*			
V. Linemen . . .	Three sets consisting of knickers, cotton putties, pugrees and coat every two years (cost per set Rs. 17).	25	8	0	Two sets consisting of knickers, cotton putties, pugrees and coat (cost per set Rs. 17).	34	0	0	Two sets consisting of knickers, cotton putties, pugree and coat (cost per set Rs. 17).	34	0	0

APPENDIX IX—*contd.*

1	2	3	4	5	6	7
		Rs. A. P.		Rs. A. P.		Rs. A. P.
V. Linemen—*contd.*	*Warm uniforms* One set consisting of a warm coat without lining and a pair of warm trousers every two years (cost per set Rs. 20).	10 0 0	*Warm uniforms* One war jersey for every two years (cost Rs. 6-8-0).	3 4 0		
	Total .	35 8 0	Total .	37 4 0	Total .	34 0 0
VI. Office peons and orderly peons.	*Cotton uniforms* Two sets consisting of a pair of trousers, achkan & pugree (cost per set Rs. 16).	32 0 0	*Cotton uniforms* Two sets consisting of a pair of trousers, achkan and pugree (cost per set Rs. 16).	32 0 0	*Cotton uniforms* Two sets consisting of a pair of trousers, achkan and pugree (cost per set Rs. 16).	32 0 0
	Warm uniforms One warm jersey for every two years (cost Rs. 6-8-0).	3 4 0	*Warm uniforms* One warm jersey for every two years (cost Rs. 6-8-0).	3 4 0		
	Total .	35 4 0	Total .	35 4 0	Total .	32 0 0
VII. Dandis, Manjhis and boatmen.	*Cotton uniforms* Three sets consisting of shorts, shirts and pugree every two years (cost per set Rs. 14).	21 0 0	*Cotton uniforms* Two sets consisting of shorts, shirts and pugree (cost per set Rs. 14).	28 0 0	*Cotton uniforms* Two sets consisting of shorts, shirt and pugree (cost per set Rs. 14).	28 0 0

	Warm uniforms		*Warm uniforms*			
	One set consisting of a warm coat without lining and a pair of warm trousers every two years (cost per set Rs. 20).	10 0 0	One warm jersey for every two years (cost Rs. 6-8-0).	3 4 0		
	Total .	31 0 0	Total .	31 4 0	Total .	28 0 0

		Annual cost Rs. A. P.
VII. Runners	(*a*) Blankets (cost Rs. 7-8) *biennially* in places where the average daily minimum temperature prevailing during the coldest month of the year is 60° (F) or below or where the average rainfall is 30″ or above.	3 12 0
	(*b*) *In addition to blankets* jerseys, waterproof sheets or capes, putties and/or footwear are to be supplied biennially on the following basis :—	
	(*i*) *Jerseys* in places where the average daily minimum temperature prevailing (cost Rs. 6-8) during the coldest month is 45° (F) or below.	3 4 0
	(*ii*) A waterproof sheet or cape (as the head of the Circle may decide) in places where the average rainfall is 40″ (cost Rs. 11-8) or above or in places where a man has to work in snow.	5 12 0
	(*iii*) Putties and/or footwear (as may be decided by the head of the Circle) to runners who have to work in the snow (cost Rs. 3-13) (cost Rs. 5-8) or in extreme cold with a minimum temperature of 30° (F) or below. Annual cost for :—	..
	Putties	1 14 6
	footwear	2 12 0
Jamadars in personnel attendance on Heads of Circles.	Uniforms at a cost not exceeding Rs. 90 triennially (fixed)	30 0 0
Jamadar in attendance on E. C. Alipore and two orderly peons one in attendance on E. C. and the other on Senior Electrical Engineer.	(*i*) One warm chapkan at a cost not exceeding Rs. 24 each (fixed) once in three years.	..
	(*ii*) Two complete sets of drill (cost per set Rs. 16) uniforms and one pair of putties every year (cost Rs. 3-13).	35 13 0
	Total .	43 13 0

APPENDIX IX—*contd.*

		Annual cost Rs. A. P.
Coachmen of Calcutta General Post Office .	Two suits khaki cost Rs. 30 Warm uniforms at a cost not exceeding Rs. 15-8 (fixed) once in two years	22 12 0
Syces of Calcutta General Post Office .	Two suits khaki cost Rs. 30 Warm uniforms at a cost not exceeding Rs. 12-8 (fixed) once in two years	21 4 0
Two Commissionaires of Calcutta G. P. O. .	Two suits of summer uniforms at a cost not exceeding Rs. 12 (fixed) per annum Winter uniform at a cost not exceeding Rs. 15-8 (fixed) every second year	19 12 0
European Commissionarie of Calcutta G. P. O	Uniform at a cost not exceeding Rs. 48 (fixed) every second year	24 0 0
Durwans of Calcutta General Post Office .	Liveries every second year, cost of each livery being Rs. 22-8 (fixed)	11 4 0
Jamadar or Commissionaire of Lahore General Post Office.	Summer uniform at a cost not exceeding Rs. 12 (fixed) per annum Winter uniform at a cost not exceeding Rs. 15-8 (fixed) every second year	19 12 0
Motor car drivers employed directly by the Post Office.	Two suits of khaki uniform, a cap and a blue overcoat at a cost not exceeding Rs. 25 a year (fixed).	25 0 0
Commissionaire of Bombay General Post Office.	Uniform at a cost not exceeding Rs. 24 (fixed) a year	24 0 0
Jamadar in attendance on A. O. T. R., Delhi	Warm chapkan at a cost not exceeding Rs. 24 (fixed) once in three years	8 0 0
	Two sets of drill uniform (cost per set Rs. 16) and one pair of putties every year (cost Rs. 3-13).	35 13 0
	Total .	43 13 0

Umbrellas.—An umbrella (cost Rs 5-10) is supplied every year to officials who are entitled to the supply of cotton uniforms and who are required to perform mainly out-door or touring duties (with the exception of mail guards, van peons and porters of the R. M. S., Boatmen, Dandis, Manjhis and Sub-Inspectors of Telegraphs) in the following places :—

(*a*) places where the normal rainfall during the monsoon period is 30" or over ; *or*

(*b*) places where the average of the maximum temperature during two months of summer is 100 degrees (F) or over.

As an exception, all village postmen are supplied with an umbrella.

(Under the above conditions, majority of out-door officials receives umbrellas.)

Waterproofs.—*Instead of umbrellas* waterproof capes or, at the discretion of Heads of Circles coats with hoods or caps (cost Rs. 15) are supplied to the following classes of officials :—

(*a*) all postmen supplied with bicycles.
(*b*) all letter-box peons and mail peons supplied with bicycles.
(*c*) all telegraph messengers who use bicycles.
(*d*) all linemen.

Waterproofs are supplied once in two years 7 8 0

Chappals.—A proposal regarding supply of 2 pairs of chappals per year (cost Rs. 5-8 per pair) to out-door officials who are entitled to the supply of cotton uniforms and who are required to walk a considerable distance during the course of their official duty has been submitted to S.F.C. 11 0 0

Overcoats.—The P. & T. Board has since approved a proposal regarding supply of overcoats to out-door officials entitled to the supply of warm uniforms provided they are working at places where the average of daily minimum temperatures during the coldest month is below 40° (F) or they are required to work during night or early in the morning. Cost of an overcoat is Rs. 24. The proposal has not so far been sanctioned by the Governor-General in Council.

Note 1.—There is no distinction between officials of old and new scales for the purpose of supply of uniforms etc.

Note 2.—In this statement, approximate cost has been shown unless a fixed limit of cost for uniforms is sanctioned.

APPENDIX IX—*contd.*

15. *Extra Duty Allowance* is granted to the R.M.S. staff when they are required to perform extra work involving curtailment of their period of rest (*vide* para. 163 of M.A.A.). These rates have been enhanced for the period upto the 30th September 1946 as shown below :—

Class of official	Period of curtailment of rest	Rate of extra duty allowance: For extra-duty performed by day	Rate of extra duty allowance: For extra duty performed by night
		As.	As.
Sorters . .	For curtailment of rest exceeding one hour but not exceeding three hours. . .	8	10
	For every succeeding period of three hours or fraction thereof exceeding one hour .	8	10
Selection grade-supervisors or Head Sorters.	For curtailment of rest exceeding one hour but not exceeding three hours . .	12	14
	For every succeeding period of three hours or fraction thereof exceeding one hour .	12	14
Mail guards . .	For curtailment of rest exceeding one hour but not exceeding three hours . .	4	6
	For every succeeding period of three hours or fraction thereof exceeding one hour .	4	6
Van peons, porters or other inferior servants.	For curtailment of rest exceeding one hour but not exceeding three hours . .	3	4
	For every succeeding period of three hours or fraction thereof exceeding one hour .	3	4

Extra duty performed between 9 P.M. and 6 A.M. is trested as extra duty by night When extra duty is performed partly by day and partly by night, night rates are for the whole of the unit of three hours if more than one hour of that unit falls within the hours of 9 P.M. and 6 A.M.

16. *Late fees* are granted to telegraphists and postal signallers when they are called upon to dispose of telegrams during the closed hours of an office. (Late fees and overtime cannot both be claimed at the same time.)

17. *Overtime Allowance* is generally granted only when overtime work is required to be performed more or less as a regular measure, and not for extra work of a casual nature. Postal staff are not, therefore, ordinarily granted overtime allowance except in Calcutta, Bombay, Madras, Karachi, etc. for thedisposal of foreign mails. (*vide* para. 148 of the M.A.A.). R.M.S. staff are given extra duty allowance for work involving curtailment of rest, and this is also a kind of overtime allowance. In the Telegraph Engineering and Traffic Branches telegraphists, signal room clerks, postal signallers, wireless operators, telephone operators, mistries and workmen, instrument room peons etc. are granted overtime allowance at the rates and on the conditions mentioned in paras. 154—159 of M.A.A. In the workshops overtime allowance is usually granted under the Factories Act.

18. *General Provident Fund.*—The staff is eligible for the benefits of this fund.

19. *P.O.I.F.* which is a privilege to Government servants as compared to other employees.

20. *Medical facilities.*—Under Central Services (Medical Attendance) Rules, 1944 the employees of the Government of India are entitled to receive free medical aid at Government hospitals or at their residence, if necessary, from their authorised medical attendants. The cost of treatment is re-imbursed to them by Government under certain prescribed conditions. The families of the employees are entitled to free medical aid at Government hospitals only. Refunds in this connection are also sanctioned under prescribed conditions.

21. *Leave.*—Government servants are governed by three sets of leave rules, *viz.*, the rules contained in the Civil Service Regulations, in the Fundamental Rules 77 to 104 and those contained in App. 7-A of F.R. Vol. II called the Revised Leave Rules, 1933.

(1) *Casual Leave.*—
- (*i*) Administrative Offices . . Up to 12 days in a year.
- (*ii*) Other offices . . . Up to 20 days in a year.

(2) Quarantine Leave . . . Up to 21 days and in exceptional cases up to 30 days on the recommendations of the local or medical health authorities.

APPENDIX IX—*concld*

22. *Pensions.*—In accordance with the provisions of rules contained in Central Subordinate (Inferior) Services (Gratuity, Pension and Retirement) Rules 1936 and parts IV and VI of Civil Service Regulations. Please see also para. 7 of R. & A. Department letter No. 1A-17-8/46 dated the 4th March 1946 at p. 23.

23. *Travelling allowance.*—In accordance with the provision of rules contained in Division VI of Supplementary Rules.

APPENDIX X

(*See* CHAPTER VI)

Except in the following cases there is no difference between old and new entrants in regard to the concessions mentioned in Appendix IX.

Circle Office (1)	Calcutta		Bombay	
	Old entrants (2)	New entrants (3)	Old entrants (4)	New entrants (5)
1. *Compensatory allowance*—				
Office Superintendent	15	...	15	...
Higher Selection Grade	15	...	15	...
Lower Selection Grade	10* or 15	...	10* or 15	...
1st Division	...	...	...	5
2nd Division	...	...	...	5
Higher Selection Grade (In offices other than Circle Offices)	10* or 15	10† or 17	10* or 15	10† or 17
Lower Selection Grade (In offices other than Circle Offices)	10* or 15	10† or 17	10* or 15	10† or 17
Clerks and allied classes	...	...	...	5
Head Postmen and allied classes	...	...	...	5
Postmen and allied classes	...	...	...	5
Linemen	5	...	10	5
Telegraph Master	...	10† or 17	...	10† or 17
Engineering Supervisor	...	10† or 17	...	10† or 17
Telegraphist	...	...	...	5
Line Inspector	15	...	15	5
Sub Inspector	12	...	15	5
Assistant Telegraph Mistries	5	...	...	...
Duftaries and allied classes	...	...	...	5
Boy Peons and allied classes	...	...	...	2
Packers and allied classes	...	...	...	4

*According as the amount of pay drawn is up to or in excess of Rs. 170 a month respectively.

†According as the amount of pay drawn is up to or in excess of Rs. 120 a month respectively.

APPENDIX X—*contd*

	Old entrants	New entrants
Compensatory allowance for Linemen and Line Riders		
(1) Patna, Ranchi, Nagpur, Jubbulpore, Bangalore, Hyderabad, Madura, Dhanushkodi, Ambala	2	...
(2) Agra, Madras, Cawnpore, Meerut, Benares, Lucknow, Allahabad	5	...
(3) Delhi, Amritsar, Lahore, Peshawar, Rawalpindi, Simla .	5	2
(4) Ahmedabad, Poona	10	...
(5) Karachi, Baluchistan	10	7 8 0

Compensatory allowance for Junior Divisional Accountants of Telegraph Engineering Division.

	Old Scales of pay	Revised Scales of Pay
Calcutta . .	Rs. 10 p.m. if the pay does not exceed Rs .170 p.m. and Rs. 15 p.m. thereafter.	Rs. 10 p.m. if the pay does not exceed Rs. 120 p.m. and Rs. 17 p.m. thereafter.
Quetta . . .	Rs. 8 p.m. if the pay does not exceed Rs. 170 p.m., Rs. 12 p.m. thereafter or 9% of the pay, whichever amount is less.	Rs. 8 p.m. if the pay does not exceed Rs. 120, Rs. 14 p.m thereafter or 9% of the pay whichever amount is less.

2. *House-rent allowance*—

Calcutta.

	Old entrants	New entrants
Foremen 1st Class	75	40
Foremen 2nd class	50	
Assistant Foremen	40	20

3. *Overtime allowance.*—In the case of postal staff employed on overtime for the disposal of foreign mail in Calcutta, Bombay, Madras, Karachi (*vide* para. 148 of the Manual of Appointments and Allowances) overtime allowance for new entrants are lower than those for old entrants.

4. *Winter allowance* as shown in Appendix IX.

5. *Task-Work earnings.*—As they are related to the rates of subsistence allowance the rate for new entrants are generally lower than those for Old entrants.

6. *Leave.*—The main points of difference between the rules contained in the Fundamental Rules and the Revised Leave Rules 1933 are as follows :—

Leave under the Fundamental Rules	*Leave under the Revised Leave Rules, 1933*
(*i*) Leave on average pay accumulates and can be granted in whole service subject to a maximum of privilege due on the date of coming under the F.Rs. plus 1/11th of the duty thereafter plus one year. The grant of leave on any one occasion is however restricted to four or eight months.	Earned leave does not accumulate beyond 30 to 60 days in the case of inferior servants and 90 to 150 days in the case of an officer in superior service nor can it be granted in excess of these limits.
(*ii*) Leave on average pay to temporary Government servants is 1/11th of the period spent on duty up to four months or on medical certificate up to 3 months, on half average pay or without pay.	Earned leave to temporary Superior Government servants is 1/22nd of the period spent on duty subject to a maximum of 30 days. For inferior staff 1/30th of the period spent on duty upto 20 days.

APPENDIX X—*concld.*

Leave under the Fundamental Rules	*Leave under the Revised Leave Rules, 1933*
(*iii*) Leave on average pay is rounded off to the nearest whole day.	Fractions of earned leave are not rounded off but are carried forward.
(*iv*) In addition to the leave in item No. (*i*) above 1½ years leave in terms of leave on average pay is allowed to officers subject to ordinary leave rules.	Leave on private affairs may be granted up to a period of 12 months in all and up to 3 months (6 months outside Asia) on any one occasion. Leave on Medical Certificate may be granted up to 12 months (*plus* another six months on the recommendation of Medical Board), in all and up to the period recommended by the Medical Authority on any one occasion.
(*v*) Leave salary is generally based on the average of last twelve months of pay.	Except in the case of temporary and officiating Govt. servants leave salary is based on 12 months' average substantive pay or 36 months' average pay whichever is beneficial to a Government servant.
(*vi*) The leave salary is restricted to certain maxima and minima laid down in F. Rs. 89 and 90.	Leave salary in the case of leave on private affairs and medical certificate only is restricted to Rs. 750 p.m.
(*vii*) Leave 'not due' is allowed under these rules and leave salary is allowed as if it were leave on half average pay.	There is no such term as leave 'not due'. If earned leave or leave on private affairs or on medical certificate is not due only extraordinary leave in which no leave salary is paid, is allowed.
(*viii*) Leave on quarter average pay, if due, is allowed after 28 months on medical certificate provided the total period of leave does not exceed 5 years.	The rules do not provide for the grant of leave on quarter average pay.
(*ix*) Inferior servants get full pay during leave on average pay provided there is no extra expense to the State, otherwise only the available balance after providing for the substitute.	Inferior servants get full pay during earned leave even when there is extra expense to to the State.
(*x*) In the process of calculation months are counted as containing 30 days.	Actual number of days in a month are caculated to arrive at the earned leave.

Nature of concessions.	Relevant Rules	Officer on Old scales of pay	Officer on New scales of pay	Remarks
Leave counted towards Pension—Inferior servants.	Rule 81 of Appx. 12A of P. & T. Man. Vol. IV.	Leave with and without allowance not exceeding the amount of leave earned under Ch. XII & XIV of the CSR.	Earned leave at 1/22nd of duty leave on medical certificate to the extent of 3/80th of total service exceeding periods of extraordinary leave.	Officials subject to the revised leave rules are generally subject to revised rates of pay.
Classification for the purpose of T.A.	S.R. 17 (h)	2nd grade includes all Govt. servants drawing a pay of more than Rs. 200 p.m. but not more than Rs. 750 p.m.	2nd grade includes all Govt. servant whose pay exceeds Rs. 75 p.m. but does not exceed Rs. 750 p.m.	

APPENDIX XI

(*See* CHAPTER VI.)

Statement showing rates of dearness allowance (and war allowance) sanctioned from time to time

"A" AREA

Period	Below Rs. 40	Rs. 40 to Rs. 100	Rs. 101 to Rs. 120	Rs. 121 to Rs. 125	Rs. 126 to Rs. 150	Rs. 151 to Rs. 160	Rs. 161 to Rs. 250	Rs. 251 and above
1-8-1942 to 31-12-1942	6	9	...	...	...	...	...	...
1-1-1943 to 31-5-1943	7	10	10	...	...	...	...	...
1-6-1943 to 29-2-1944	11	14	14	14	14	...	...	...
1-3-1944 to 30-6-1944	14	18	18	18	18	18	18	...
1-7-1944 onwards	20	22	22	22	17½%	17½%	17½%	17½%

NOTE.—These rates are subject to marginal adjustments.

APPENDIX XII

(*See* CHAPTER VI.)

Statement showing rates of dearness allowance (and war allowance) sanctioned from time to time

"B" AREA

Period	Below Rs. 40	Rs. 40 to Rs. 80	Rs. 81 to Rs. 100	Rs. 101 to Rs. 102	Rs. 103 to Rs. 120	Rs. 121 to Rs. 125	Rs. 126 to Rs. 160	Rs, 161 to Rs. 200	Rs. 201 and above
1-8-1942 to 31-12-1942 . . .	5	7	...	...	...	...	...	...	...
1-1-1943 to 31-5-1943 . . .	6½	9	9	...	...	...	...	...	...
1-6-1943 to 29-2-1944 . . .	8	11	11	11	11	11	...	...	...
1-3-1944 to 30-6-1944 . . .	11	14	14	14	14	14	14	14	...
1-7-1944 onwards	16	18	18	18	17½%	17½%	17½%	17½%	17½%

NOTE.—These rates are subject to marginal adjustments.

APPENDIX XIII

(*See* CHAPTER VI.)

Statement showing rates of dearness allowance (and war allowance) sanctioned from time to time.

"C" AREA

Period	Below Rs. 40	Rs. 40 to Rs. 60	Rs. 61 to Rs. 70	Rs. 71 to Rs. 90	Rs. 91 to Rs. 100	Rs. 101 to Rs. 120	Rs. 121 to Rs. 150	Rs. 151 to Rs. 160	Rs. 161 and above
1-8-1942 to 31-12-1942 . . .	4	6	..	...	...	...	...	...	...
1-1-1943 to 31-5-1943 . . .	5	7½	7½	...	...	...	...	...	...
1-6-1943 to 29-2-1944 . . .	6½	9	9	9	...	...	...	...	...
1-3-1946 to 30-6-1944 . . .	9	12	12	12	12	12	12	...	...
1-7-1944 onwards	14	16	16	16	16	17½%	17½%	17½%	17½%

NOTE.—The above rates are subject to marginal adjustments.

APPENDIX XIV

(*See* CHAPTER VIII.)

List of the more important grievances or demands of a general nature stated by witnesses in the course of their Examination.

1. Graduates should be started at a higher stage in the time scale than others.

2. The Engineering Supervisors who were, by reason of the dearth of qualified staff during the war, posted to regular duty before the completion of their training, are still treated as temporary hands without being confirmed. This entails hardship particularly in the matter of leave. They were not warned, at the time of their recruitment for training, that a certain proportion of vacancies was being reserved for "War Service" candidates and that their chances of confirmation were subject to this reservation.

3. The present rates of "Out-station" allowance for R. M. S. sorters, porters, etc.' is inadequate. Detention at railway stations should count for "Out-station" allowance.

4. The rules provide for payment for Sunday work at double the normal rate to certain categories of employees including Telegraph Mistries. But Telegraph Mistries in the Bombay Central Telegraph Office are either allowed time off on a week day to compensate for Sunday work or are paid only at the normal rate.

5. Postmen should be given an allowance for work on a Sunday or holiday.

6. Uniforms are given at longer intervals than those contemplated under the Rules.

7. Under the Rules, runners are entitled to uniforms, blankets, rain-coats, etc., but in fact they are not supplied with these articles.

8. There is great difficulty in obtaining leave, particularly casual leave, especially for postmen and the lower grade staff. No substitute is generally appointed for casual leave vacancies. The work of the person proceeding on leave has to be shared among the others.

9. In the moffusil, wherever there is only one postman in a Post Office, he has to work without a weekly rest day on Sunday. In cities and towns where there are more than one postman in a post office, a postman can get only the alternate Sunday off and has to do "double duty" on the next Sunday.

10. By making recruitment to the Lower Grades of clerks by a comparatively stiffer competitive examination, one important avenue of promotion to postmen is closed.

11. Frequently a village postman has to be away from his headquarters for 2 or 3 days at a time. But he does not get any travelling allowance or out-station allowance.

12. Madras city postmen should be given compensatory allowances like clerks in particularly expensive places.

13. Postmen's beats are generally heavy and cooly charges allowed are inadequate in these days of high wages.

14. Many postmen and packers (at Jubbulpore) who have worked continuously in a temporary capacity are, at the time of confirmation, removed from service on the plea of overage.

15. R. M. S. staff should be allowed rest on Sundays and Postal holidays.

16. Winter allowance in hill stations is generally inadequate for postmen and the lower grade staff.

17. "Seasonal" postmen of Simla should, on the conclusion of the season, be transferred elsewhere at Government expense and provided for.

18. The halting allowance for inferior staff and stenographers of Heads of Circles and District Officers on tour is inadequate.

19. Unsatisfactory conditions of the quarters allotted.

20. Non-payment of Kit allowance at Simla even though other Central Government employees were paid the allowance.

21. Promotion as sorting postmen should not be confined to the employees on the R. M. S. side alone but should also be extended to postmen.

APPENDIX XV

(*See* CHAPTER XI.).

The Cash value per adult of the concessional supply of food grains and sugar at Bombay.

Commodity	Unit	Market Price	Concession Price
		Rs. A. P.	Rs. A. P.
Rice I Quality	Paylee	1 8 0	1 0 0
Rice II Quality	,,	0 13 0	0 10 0
Boiled Rice—I Quality	,,	1 4 0	1 0 0
Boiled Rice—II Quality	,,	0 13 0	0 10 0
Wheat Grain	,,	1 2 0	0 9 0
Wheat Flour	6 lbs.	1 5 0	0 10 6
Bajra	Paylee	0 10 0	0 7 0
Jowar	,,	0 9 0	0 7 0
Sugar	1 lb.	0 3 9¼	0 2 0

One adult monthly ration (i.e., *4 weeks ration*)—

3 1/8th Paylees of food grains and 2 lbs. 4 ozs. sugar.

Maximum quantum of each cereal per adult monthly—

Rice.—1 7/8th Paylee (*i.e.*, 60 per cent. of total rationed food grains.) (Boiled rice 2nd quality can be drawn only up to one third of this, other rice can be drawn in full).

Wheat and Wheat Flour.—2¼ Paylees (*i.e.*, 72 per cent. of the total rationed food grains). (Wheat can be drawn only up to half of this; wheat flour can be drawn in full).

Bajra and Jowar.—Can be drawn in full.

Assuming the same weightage for each food grain as in the Bombay Cost of Living Index series we get :—

Wheat	·250 Paylees
Rice	2.438* ,,
Jowar	·094 ,,
Bajra	·344 ,,
	3·126 ,,

Assuming that the whole wheat ration is consumed in the shape of wheat grain and that only 2nd quality rice is purchased, the cost of an adult monthly ration (including sugar) at the market prices and the concession prices respectively works out as follows :—

Commodity	Unit	Quantity consumed	Market price	Cost at market price	Concession price	Cost at concession price
		As.	As.	As.	As.	As.
Wheat (grain)	Paylee	·813	18·00	14·63	9·00	7·32
Rice (2nd quality)	,,	1·875	13·00	24·38	10·00	18·75
Jowar	,,	·094	9·00	0·85	7·00	0·66
Bajra	,,	·344	10·00	3·44	7·00	2·41
Sugar	Lb.	2·250	3·77	7·50	2·00	4·50
Total				50·80 or Rs. 3-2-10		33·64 or Rs. 2-1-8
Difference				Rs. 1-1-2.		

* But as one cannot draw more than 1 7/8 Paylees of rice it may be presumed that the balance is drawn as wheat. Thus the quantity of wheat becomes ·813 and rice 1·875.

APPENDIX XVI

(*See* CHAPTER XI)

I. Classification of areas for the purposes of pay :—

'*A*' *area*—

Baluchistan, Bombay and its vicinity (*i.e.*, Andheri, Bandra, Bassein, Bassein Road, Bhyander, Borivli, Chembur, Bombivli, Ghatkopar, Juhu, Kalyan, Kalyan City, Kurla, Malad, Muland, Santacruz, South Thana, Thana, Vile Parle, Trombaye, Vesaba and Verar).

Calcutta (including Alipore and Howrah), Karachi and Persian Gulf (including Mekran Coast).

'*B*' *area*—

Abbotabad, Agra, Ahmedabad, Allahabad, Amritsar, Andaman, Nicobar and Nicobar Islands, Benares, Cawnpore, Dacca, Darjeeling, Delhi, Dhanushkodi, Hyderabad (Deccan), Lahore, Lucknow, Madras, Meerut, Mussoorie, Mymensingh, Nagpur, Nainital, Ootacamund, Patna, Peshawar, Poona, Ranchi, Rawalpindi, Shillong and Simla.

'*C*' *area*—

All localities not included in 'A' area or 'B' area.

II. Classification of areas for purposes of dearness allowance :—

'*A*' *area*—

(*i*) Bombay and Calcutta and their suburbs to which the Calcutta and Bombay Compensatory (cost of living) allowance schemes apply.

(*ii*) Ahmedabad.

'*B*' *area*—

(*i*) The suburbs of Bombay not included in the 'A' area but lying within the area extending up to Kalyan (exclusive) on the Great Indian Peninsula Railway and Virar (inclusive) on the Bombay, Baroda and Central India Railway.

(*ii*) Abbotabad, Agra, Allahabad, Amritsar, Aruvankadu, Bangalore, Benares, Cawnpore, Chittagong, Cochin, Coonoor, Dacca, Darjeeling, Dehra-Dun, Delhi, Deolali, Dhanushkodi, Fetah-Nagar (Hyderabad), Hyderabad (Deccan), Ishapur, Jubbulpore, Karachi, Kasouli, Lahore, Lucknow, Madras, Meerut, Mount Abu, Mussoorie, Mymensingh, Nagpur, Naini-Tal, Nasik, Ootacamund, Patna, Peshawar, Pondicherry, Poona, Quetta, Ranchi, Rawalpindi, Shillong, Simla, Vizagapatam.

'*C*' *area*—

All areas not included in 'A' area or 'B' area.

APPENDIX XVII

(*See* CHAPTER XI).

Pay and Allowances in the eighth year of service

Clerks in the office of Heads of Circles (1st Division)

Locality	Existing						Proposed§								Remarks
	Basic pay	D. A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Basic pay	Percent-age allow-ance‡	D.A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	85	32	8 8	3 12	5	134 4	85	*5*	32	8 8	3 12	5	139 4	5 0	
Calcutta	85	32	8 8	1 13		127 5	85	*5*	32	8 8	1 13		132 5	5 0	
'B' Group—															
Lahore	80	28				108 0	80	*5*	28		*3 12*		116 12	8 12	
Lucknow	80	28				108 0	80	*5*	28		*3 12*		116 12	8 12	
Patna	80	28				108 0	80	*5*	28		*3 12*		116 12	8 12	
Shillong															
Nagpur	80	28				108 0	80	*5*	28		*3 12*		116 12	8 12	
Madras	80	28				108 0	80	*5*	28		*3 12*		116 12	8 12	
'C' Group—															
Ambala															
Aligarh															
Monghyr															
Jubbulpore	75	28†				103 0	75	*5*	28		*3 12*		111 12	8 12	
Coimbatore															

*Dearness Allowance and Good Conduct Pay.
†Jubbulpore is 'C' area for pay but 'B' area for Dearness Allowance.
‡Subject to a minimum of Rs. 5.
§Assuming that 'C' areas are merged into 'B' areas for Dearness Allowances purposes.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Clerks in the offices of Heads of Circles (2nd Division)

Locality	Existing						Proposed§							Remarks
	Basic pay	D. A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Basic pay	Percent-age allow-ance‡	D.A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Col. 14 *minus* Col. 7	
1	2	3*	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'*A*' *Group*—															
Bombay	59	32	5 14†	3 12	5	105 10	59	*8 14*	32	5 14	3 12	5	114 8	8 14	
Calcutta	59	32	5 14†	1 13		98 11	59	*8 14*	32	5 14	1 13		107 9	8 14	
'*B*' *Group*—															
Lahore	54	28				82 0	54	*8 2*	28		*3 12*		93 14	11 14	
Lucknow	54	28				82 0	54	*8 2*	28		*3 12*		93 14	11 14	
Patna	54	28				82 0	54	*8 2*	28		*3 12*		93 14	11 14	
Shillong															
Nagpur	54	28				82 0	54	*8 2*	28		*3 12*		93 14	11 14	
Madras	54	28				82 0	54	*8 2*	28		*3 12*		93 14	11 14	
'*C*' *Group*—															
Ambala															
Aligarh															
Monghyr															
Jubbulpore	49	28‡				77 0	49	*7 6*	28		*3 12*		88 2	11 2	
Coimbatore															

* Dearness allowance and Good Conduct Pay.
† Compensatory house-rent allowance to cover the excess of house rent actually paid over 10 per cent. of pay subject to a maximum of 10 per cent. of pay.
‡ Jubbulpore is 'C' area for pay but 'B' area for dearness allowance.
§ Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Clerks (including those in Dead Letter Offices), Sorters, Sub-Postmasters, etc.

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G.C.P.	House rent	Grain concession	Other allowances	Total emoluments	Basic pay	Percentage allowance	D. A.* and G.C.P.	House rent	Grain concession	Other allowances	Total emoluments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	63	32	6 5	3 12	5	110 1	63	*9 7*	32	6 5	3 12	5	119 8	9 7	Sub-Postmasters are entitled to rent-free quarters or house-rent allowance in lieu thereof.
Calcutta	63	32	6 5	1 13		103 2	63	*9 7*	32	6 5	1 13		112 9	9 7	
'B' Group—															
Lahore	58	28				86 0	58	*8 11*	28		*3 12*		98 7	12 7	
Lucknow	58	28				86 0	58	*8 11*	28		*3 12*		98 7	12 7	
Patna	58	28				86 0	58	*8 11*	28		*3 12*		98 7	12 7	
Shillong	58	28				86 0	58	*8 11*	28		*3 12*		98 7	12 7	
Nagpur	58	28				86 0	58	*8 11*	28		*3 12*		98 7	12 7	
Madras	58	28				86 0	58	*8 11*	28		*3 12*		98 7	12 7	
'C' Group—															
Ambala	53	26	‡			79 0	53	*7 15*	26+2	‡	*3 12*		92 11	13 11	‡Reserve clerks get C. A. Rs. 10 p.m.
Aligarh	53	26				79 0	53	*7 15*	26+2		*3 12*		92 11	13 11	
Monghyr	53	26				79 0	53	*7 15*	26+2		*3 12*		92 11	13 11	
Jubbulpore	53	28				81 0	53	*7 15*	28		*3 12*		92 11	11 11	
Coimbatore	53	26				79 0	53	*7 15*	26+2		*3 12*		92 11	13 11	

* Dearness allowance and Good Conduct Pay.
† Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Wireless Operators

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Basic pay	Percentage allowance	D. A.* and G.C.P	House-rent	Grain concession	Other allowances	Total emoluments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.	Rs. A.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	95	32	50	3 12		180 12	95	*14 4*	32	50	3 12		195 0	14 4	
Calcutta	95	32	50	1 13		178 13	95	*14 4*	32	50	1 13		193 1	14 4	
'B' Group—															
Lahore	95	28	30			153 0	95	*14 4*	28	30	*3 12*		171 0	18 0	
Lucknow	95	28	30			153 0	95	*14 4*	28	30	*3 12*		171 0	18 0	
Patna	95	28	20			143 0	95	*14 4*	28	20	*3 12*		161 0	18 0	
Shillong															
Nagpur	95	28	25			148 0	95	*14 4*	28	25	*3 12*		166 0	18 0	
Madras	95	28	35			158 0	95	*14 4*	28	35	*3 12*		176 0	18 0	
'C' Group—															
Ambala	95	26	25			146 0	95	*14 4*	26+2	25	*3 12*		166 0	20 0	
Aligarh															
Monghyr															
Jubbulpore	95	28	25			148 0	95	*14 4*	28	25	*3 12*		166 0	18 0	
Coimbatore															

* Dearness Allowance and Good Conduct Pay.
† Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Supervisors in the Telegraph Engineering and Wireless Branches

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G. C. P.	House-rent	Grain concession	Other allowances	Total emoluments	Basic pay	Percentage allowance	D. A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	115	32	50	3 12	10	210 12	115	*17 4*	32	50	3 12	10	228 0	17 4	
Calcutta	115	32	50	1 13	10	208 13	115	*17 4*	32	50	1 13	10	226 1	17 4	
'B' Group—															
Lahore	115	28	30			173 0	115	*17 4*	28	30	*3 12*		194 0	21 0	
Lucknow	115	28	30			173 0	115	*17 4*	28	30	*3 12*		194 0	21 0	
Patna	115	28	20			163 0	115	*17 4*	28	20	*3 12*		184 0	21 0	
Shillong	115	28				143 0	115	*17 4*	28		*3 12*		164 0	21 0	
Nagpur	115	28	25			168 0	115	*17 4*	28	25	*3 12*		189 0	21 0	
Madras	115	28	35			178 0	115	*17 4*	28	35	*3 12*		199 0	21 0	
'C' Group—															
Ambala	115	26	25			166 0	115	*17 4*	26+2	25	*3 12*		189 0	23 0	
Aligarh	115	26				141 0	115	*17 4*	26+2		*3 12*		164 0	23 0	
Monghyr,	115	26				141 0	115	*17 4*	26+2		*3 12*		164 0	23 0	
Jubbulpor	115	28	25			168 0	115	*17 4*	28	25	*3 12*		189 0	21 0	
Coimbatore	115	26				141 0	115	*17 4*	26+2		*3 12*		164 0	23 0	

*Dearness allowance and Good Conduct Pay.
†Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Telegraphists

Locality	Existing						Proposed †								Remarks
	Basic pay	D.A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Basic pay	Percent-age allow-ance	D.A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	63	32	6 5	3 12	5	110 1	63	*9 7*	32	6 5	3 12	5	119 8	9 7	
Calcutta	63	32	6 5	1 13		103 2	63	*9 7*	32	6 5	1 13		112 0	9 7	
'B' Group—															
Lahore	63	28				91 0	63	*9 7*	28		*3 12*		104 3	13 3	
Lucknow	63	28				91 0	63	*9 7*	28		*3 12*		104 3	13 3	
Patna	63	28				91 0	63	*9 7*	28		*3 12*		104 3	13 3	
Shillong	63	28				91 0	63	*9 7*	28		*3 12*		104 3	13 3	
Nagpur	63	28				91 0	63	*9 7*	28		*3 12*		104 3	13 3	
Madras	63	28				91 0	63	*9 7*	28		*3 12*		104 3	13 3	
'C' Group—															
Ambala	63	26				89 0	63	*9 7*	26+*2*		*3 12*		104 3	15 3	
Aligarh	63	26				89 0	63	*9 7*	26+*2*		*3 12*		104 3	15 3	
Monghyr	63	26				89 0	63	*9 7*	26+*2*		*3 12*		104 3	15 3	
Jubbulpore	63	28				91 0	63	*9 7*	28		*3 12*		104 3	13 3	
Coimbatore	63	26				89 0	63	*9 7*	26+*2*		*3 12*		104 3	15 3	

*Dearness allowance and Good Conduct Pay.

† Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Head Postman and Allied Classes

Locality	Existing						Proposed†								Remarks
	Basic pay	D.A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Basic pay	Percentage allowance	D.A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay . . .	49	32	5	3 12	5	94 12	49	7 6	32	5	3 12	5	102 2	7 6	
Calcutta . . .	49	32	5	1 13		87 13	49	7 6	32	5	1 13		95 3	7 6	
'B' Group—															
Lahore . . .	49	28				77 0	49	7 6	28		3 12		88 2	11 2	
Lucknow . . .	49	28				77 0	49	7 6	28		3 12		88 2	11 2	
Patna . . .	49	28				77 0	49	7 6	28		3 12		88 2	11 2	
Shillong . . .	49	28				77 0	49	7 6	28		3 12		88 2	11 2	
Nagpur . . .	49	28				77 0	49	7 6	28		3 12		88 2	11 2	
Madras . . .	49	28				77 0	49	7 6	28		3 12		88 2	11 2	
'C' Group—															
Ambala . . .	49	26				75 0	49	7 6	26+2		3 12		88 2	13 2	
Aligarh . . .	49	26				75 0	49	7 6	26+2		3 12		88 2	13 2	
Monghyr . . .	49	26				75 0	49	7 6	26+2		3 12		88 2	13 2	
Jubbulpore . .	49	28				77 0	49	7 6	28		3 12		88 2	11 2	
Coimbatore . .	49	26				75 0	49	7 6	26+2		3 12		88 2	13 2	

* Dearness allowance and Good Conduct Pay.
† Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Postmen and allied classes

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Basic pay	Percent-age allow-ance	D.A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	27	32	7	3 12	5	74 12	27	*5 6*	32	7	3 12	5	80 2	5 6	
Calcutta	27	32	5	1 13		65 13	27	*5 6*	32	5	1 13		71 3	5 6	
'B' Group—															
Lahore	25	28	5		‡	58 0	25	*5 0*	28	5	*3 12*	‡	66 12	8 12	‡Linemen get compensatory allowance Rs. 2 p.m.
Lucknow	25	28	3			56 0	25	*5 0*	28	3	*3 12*		64 12	8 12	
Patna	25	28	2			55 0	25	*5 0*	28	2	*3 12*		63 12	8 12	
Shillong	25	28	4			57 0	25	*5 0*	28	4	*3 12*		65 12	8 12	
Nagpur	25	28	2			55 0	25	*5 0*	28	2	*3 12*		63 12	8 12	
Madras	25	28	3			56 0	25	*5 0*	28	3	*3 12*		64 12	8 12	
'C' Group—															
Ambala	21	26	5			52 0	21	*4 3*	26+2	5	*3 12*		61 15	9 15	
Aligarh	21	26				47 0	21	*4 3*	26+2		*3 12*		56 15	9 15	
Monghyr	21	26				47 0	21	*4 3*	26+2		*3 12*		56 15	9 15	
Jubbulpore	21	28	2			51 0	21	*4 3*	28	2	*3 12*		58 15	7 15	
Coimbatore	21	26	1			48 0	21	*4 3*	26+2	1	*3 12*		57 15	9 15	

* Dearness allowance and Good Conduct Pay.
† Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Runners

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G. C. P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Basic pay	Percent-age allow-ance	D. A.* and G. C. P.	House rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	13	32	7	3 12		55 12	13	*3 4*	32	7	3 12		59 0	3 4	
Calcutta	13	32	5	1 13		51 13	13	*3 4*	32	5	1 13		55 1	3 4	
'B' Group—															
Lahore	13	28	2			43 0	13	*3 4*	28	2	*3 12*		50 0	7 0	
Lucknow	13	28	2			43 0	13	*3 4*	28	2	*3 12*		50 0	7 0	
Patna	13	28	2			43 0	13	*3 4*	28	2	*3 12*		50 0	7 0	
Shillong	13	28	4			45 0	13	*3 4*	28	4	*3 12*		52 0	7 0	
Nagpur	13	28	2			43 0	13	*3 4*	28	2	*3 12*		50 0	7 0	
Madras	13	28	3			44 0	13	*3 4*	28	3	*3 12*		51 0	7 0	
'C' Group—															
Ambala	13	26				39 0	13	*3 4*	26+2		*3 12*		48 0	9 0	
Aligarh	13	26				39 0	13	*3 4*	26+2		*3 12*		48 0	9 0	
Monghyr	13	26				39 0	13	*3 4*	26+2		*3 12*		48 0	9 0	
Jubbulpore	13	28	2			43 0	13	*3 4*	28	2	*3 12*		50 0	7 0	
Coimbatore	13	26	1			40 0	13	*3 4*	26+2	1	*3 12*		49 0	9 0	

*Dearness allowance and Good Conduct Pay.
†Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Boy Peons, Boy Messengers and Boy Farashes

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Basic pay	Percentage allowance‡	D. A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	15	32		3 12	2	52 12	15	*3 12*	32		3 12	2	56 8	3 12	**Boy Farashes get Rs. 5 p.m.
Calcutta	15	32	**	1 13		48 13	15	*3 12*	32	**	1 13		52 9	3 12	
'B' Group—															
Lahore	13	28				41 0	13	*3 4*	28		*3 12*		48 0	7 0	
Lucknow	13	28				41 0	13	*3 4*	28		*3 12*		48 0	7 0	
Patna	13	28				41 0	13	*3 4*	28		*3 12*		48 0	7 0	
Shillong	13	28				41 0	13	*3 4*	28		*3 12*		48 0	7 0	
Nagpur	13	28				41 0	13	*3 4*	28		*3 12*		48 0	7 0	
Madras	13	28				41 0	13	*3 4*	28		*3 12*		48 0	7 0	
'C' Group—															
Ambala	11	26				37 0	11	*2 12*	26+2		*3 12*		45 8	8 8	
Aligarh	11	26				37 0	11	*2 12*	26+2		*3 12*		45 8	8 8	
Monghyr	11	26				37 0	11	*2 12*	26+2		*3 12*		45 8	8 8	
Jubbulpore	11	28				39 0	11	*2 12*	28		*3 12*		45 8	6 8	
Coimbatore	11	26				37 0	11	*2 12*	26+2		*3 12*		45 8	8 8	

*Dearness allowance and Good Conduct Pay. †Assuming that 'C' areas are merged into 'B' areas. ‡Subject to a minimum of Rs. 5.

APPENDIX XVII—*contd.*

Pay and Allowances in the eighth year of service

Packers, Porters, Chowkidars, etc.

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Basic pay	Percentage allowance	D.A.* and G.C.P.	House-rent	Grain concession	Other allowances	Total emoluments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay . . .	17	32	7	3 12	4	63 12	17	*4 4*	32	7	3 12	4	68 0	4 4	
Calcutta . . .	17	32	5	1 13		55 13	17	*4 4*	32	5	1 13		60 1	4 4	
'B' Group—															
Lahore . . .	16	28	2			46 0	16	*4 0*	28	2	*3 12*		53 12	7 12	
Lucknow . . .	16	28	2			46 0	16	*4 0*	28	2	*3 12*		53 12	7 12	
Patna . . .	16	28	2			46 0	16	*4 0*	28	2	*3 12*		53 12	7 12	
Shillong . . .	16	28	4			48 0	16	*4 0*	28	4	*3 12*		55 12	7 12	
Nagpur . . .	16	28	2			46 0	16	*4 0*	28	2	*3 12*		53 12	7 12	
Madras . . .	16	28	3			47 0	16	*4 0*	28	3	*3 12*		54 12	7 12	
'C' Group—															
Ambala . . .	15	26	2			43 0	15	*3 12*	26+2	2	*3 12*		52 8	9 8	
Aligarh . . .	15	26				41 0	15	*3 12*	26+2		*3 12*		50 8	9 8	
Monghyr . . .	15	26				41 0	15	*3 12*	26+2		*3 12*		50 8	9 8	
Jubbulpore . .	15	28	2			45 0	15	*3 12*	28	2	*3 12*		52 8	7 8	
Coimbatore . .	15	26	1			42 0	15	*3 12*	26+2	1	*3 12*		51 8	9 8	

*Dearness allowance and Good Conduct Pay.
†Assuming that 'C' areas are merged into 'B' areas.

APPENDIX XVII—*concld.*

Pay and Allowances in the eighth year of service

Task-work Messengers

Locality	Existing						Proposed†								Remarks
	Basic pay	D. A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Basic pay	Percent-age allow-ance	D. A.* and G.C.P.	House-rent	Grain conces-sion	Other allow-ances	Total emolu-ments	Col. 14 *minus* Col. 7	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
	Rs.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs. A.	Rs.	Rs.	Rs. A.	Rs.	Rs. A.	Rs. A.	
'A' Group—															
Bombay	9	32	7	3 12	9‡	60 12	9	*4 8*	32	7	3 12	9‡	65 4	4 8	
Calcutta	9	32	5	1 13	9	56 13	9	*4 8*	32	5	1 13	9	61 5	4 8	
'B' Group—															
Lahore	8	28	2		8	46 0	8	*4 0*	28	2	*3 12*	8	53 12	7 12	
Lucknow	8	28	2		8	46 0	8	*4 0*	28	2	*3 12*	8	53 12	7 12	
Patna	8	28	2		8	46 0	8	*4 0*	28	2	*3 12*	8	53 12	7 12	
Shillong	8	28	4		8	48 0	8	*4 0*	28	4	*3 12*	8	55 12	7 12	
Nagpur	8	28	2		8	46 0	8	*4 0*	28	2	*3 12*	8	53 12	7 12	
Madras	8	28	3		8	47 0	8	*4 0*	28	3	*3 12*	8	54 12	7 12	
'C' Group—															
Ambala	7	26	2		7	42 0	7	*3 8*	26+2	2	*3 12*	7	51 4	9 4	
Aligarh	7	26			7	40 0	7	*3 8*	26+2		*3 12*	7	49 4	9 4	
Monghyr	7	26			7	40 0	7	*3 8*	26+2		*3 12*	7	49 4	9 4	
Jubbulpore	7	28	2		7	44 0	7	*3 8*	28	2	*3 12*	7	51 4	7 4	
Coimbatore	7	26	1		7	41 0	7	*3 8*	26+2	1	*3 12*	7	50 4	9 4	

*Dearness Allowance and Good Conduct Pay.
†Assuming that 'C' areas are merged into 'B' areas.
‡Minimum Task-work earnings guaranteed by the Department (equal to basic pay).

APPENDIX XVIII
(See CHAPTER VIII)
Family Budget Statement —Clerical and Allied Cadres
(Note.—"P.E." stands for "Total Expenditure")

Who-le No.	Name	Designation	Station Pay	Scale of Pay	Size of Family: No. of members	Size of Family: Consumption Units	Increase	Food Group: (a) Cereals	(b) Milk & Fats	(c) Fruit & Vegetables	(d) Animal Food	(e) Others	Total Food	Fuel and Lighting	Clothing	Bedding	House-rent	Miscellaneous	Total expenditure	Debt	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)		(8)					(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
			Rs.					Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs.	
1	Biswanath Dutt	Clerk, Telegraph Stores Office, Calcutta	37		5 1·84	137 13 6		30 2 6 (6)	32 14 0	30 12 6	31 0 6	16 5 6	160 5 0	19 5 0	24 9 3	7 15 0	25 0 0	45 10 6	262 12 0		200* *Obtained prize in Lottery.
					As percentage of T.E.			10	12	11	12	6	61	7	9	3	10	18			
					Consumption per unit			4 2 6	6 15 0	6 1 6	6 7 6	3 2 6	32 13 0	3 12 6	4 13 6	1 8 0	4 8 0	9 1 0	54 4 0		
2	Md. Azher Hossain	Clerk, Berhampore P.O.	82		3 2·73	111 0 3		19 10 6	21 2 6	20 2 6	21 6 6	11 4 6	93 11 0	10 9 6	17 7 0	0 8 0	15 0 0	24 4 0	181 10 0	1,000	*2 dependants elsewhere Rs. 10-5-0.
					As percentage of T.E.			11	11	11	12	6	51	6	10	0	8	13			
					Consumption per unit			4 2 6	6 6 9	7 10 0	6 2 0	4 7 0	31 2 0	4 3 0	6 14 0	0 2 0	5 10 0	8 4 0	72 10 0		
3	G. E. Pathe	Clerk, G.P.O., Bombay	60-240	60—5—100	3 2·14	121 15 0		20 4 6 (6)	21 2 6	19 6 6	...	20 15 6	82 14 0	13 15 0	17 1 6	4 0 0	18 0 0	47 2 0	181 2 0	500	*Insurance A. P. F. Rs. 12-8-0. †Now on unified scale.
					As percentage of T.E.			11	17	8	...	23	68	9	13	3	14	26			
					Consumption per unit			4 0 6	6 6 0	5 2 0	...	6 15 0	23 0 0	3 11 0	5 5 0	1 2 0	5 14 0	13 0 0	54 12 0		
4	L. N. Rahejapalice	Engineering Supervisor, Phusro, Delhi	95		5 2·62	113 0 3		19 9 6 (6)	20 7 6	19 0 6	...	24 1 6	73 0 6	12 15 0	20 0 0	3 9 0	15 0 0	45 2 0*	169 12 0		Deficit made good by father and father-in-law.
					As percentage of T.E.			6	12	9	...	14	43	7	12	2	9	27			
					Consumption per unit			4 0 6	4 5 6	3 12 6	4 0 6	4 13 6	20 12 0	2 11 0	4 0 0	0 12 0	3 0 0	9 0 0	39 15 0		
5	V. M. Ali Imam Dara	S.E.O., S.M.A., Amritsar	55	140—40—5—445	5 1·93	108 0 3*		16 15 6 (6)	20 2 6	20 7 6	16 6 6	16 0 6	89 12 0	11 15 0	6 5 0	20 4 0	3 12 6	15 0 0	96 13 0*	250 4 6	372 *Includes Rs. 10 for marriage expenses (non-recurring) and medicines for E7-1-6. †Includes wife's earning Rs. 58.
					As percentage of T.E.			6	22	9	6	7	51	6	3	9	1	30			
					Consumption per unit			4 0 6	5 2 0	5 1 6	4 0 6	4 0 6	22 4 0	2 15 0	1 9 0	5 0 0	0 15 0	8 5 0	45 11 0	127 0 0	
6	T. S. Subramaniam	Telegraphist, C.T.O., Madras	37	110—65—5—85—6—125	4 1·67	113 0 3*		18 12 6 (6)	20 9 6	20 4 6	...	24 12 6	84 4 0	11 5 0	19 4 6	5 0 0	15 0 0	39 4 0	173 13 0		*Includes father's income Rs. 90.
					As percentage of T.E.			9	27	9	...	14	54	7	12	3	9	25			
					Consumption per unit			4 2 6	5 0 0	5 0 0	4 0 6	6 0 0	24 3 0	3 2 0	5 0 0	1 6 0	4 0 0	10 8 0	47 13 0		
7	Sudsi Chandra Bhar	Surgeon, E. Div. No. 17, Pakpukrie, Hazaribagh, Bengal	58	175—75—5—80	3 2·22	99 9 3		9 12 6 (6)	10 2 6	9 4 6	20 12 6	7 2 6	66 14 0	8 15 0	17 9 0	9 0 0	1 7 0	40 12 0*	146 10 0	.....	*Living in father-in-law's house paying only taxes. †Insurance Rs. 3-11-0.
					As percentage of T.E.			6	17	6	14	5	48	6	12	6	1	29			
					Consumption per unit			3 12 6	3 10 0	3 7 6	6 13 0	2 5 0	20 8 0	2 15 0	5 10 0	2 13 0	0 10 0	12 8 0	52 12 0		
8	K. Rammurthi	Clerk, P.M.G.'s Office, Madras	64	140—5—145—5—185	4 2·33	113 9 3*		19 14 6 (6)	20 10 6	19 7 6	...	20 5 6	81 8 0	9 1 0	25 8 0	2 14 3	22 0 0	36 12 0*	196 3 3	1,000	*Includes Rs. 20 from father. †Insurance Rs. 5.
					As percentage of T.E.			6	16	7	...	10	42	4	13	1	11	19			
					Consumption per unit			3 3 0	5 0 0	3 10 0	...	3 12 0	20 1 0	2 5 0	6 10 0	0 11 0	5 6 0	9 0 0	49 3 0		
9	S. K. Gupta	Wireless Operator, Calcutta	100		9 2·78	214 5 0		13 2 6 (6)	29 1 6	8 6 6	6 6 6	16 4 6	73 5 6	6 4 6	6 2 4*	20 0 0	102 8 0	316 0 6	.....	*Cancer's & Children's clothing supplied by sister as well as some household articles. †Includes contribution to dependants Rs. 50-10-0, insurance A. P. F. Rs. 12-8-0, interest on loan, Rs. 6-4-0 and recovery of salary overpaid Rs. 16.
					As percentage of T.E.			4	9	3	2	5	23	2	2	6	32				
					Consumption per unit			1 7 0	3 4 0	1 0 0	0 12 0	2 0 0	8 13 0	0 12 0	0 12 0	2 8 0	12 8 0	41 3 0	106 0 0		
10	S. L. Bhandari	Clerk, R.M.S. Office, Delhi	95		9 4·39	108 0 3		20 0 0 (6)	27 2 6	21 9 6	...	23 6 6	112 0 6	12 15 0	(Supplied by father)		7 8 0	62 14 0*	176 8 0	200	*Includes P. F. Rs. 24.
					As percentage of T.E.			11	20	12	...	13	64	9	...	...	4	36			
					Consumption per unit			4 0 0	5 0 0	4 11 0	...	5 2 6	25 11 0	3 11 0	...	...	1 12 0	5 14 0	40 10 0		
11	M. Venoo Kini	Telegraph Clerk, Bombay	91		4 2·16	108 14 0		16 0 0 (6)	22 2 6	7 0 0	12 10 0	14 12 6	71 9 0	17 11 0	29 7 0	12 1 3	6 0 0	52 6 0*	187 0 0	500	*Includes P.F. Rs. 5.
					As percentage of T.E.			9	16	4	7	8	44	11	18	7	3	32			
					Consumption per unit			3 0 0	4 10 0	2 0 0	3 2 6	3 10 0	17 0 0	4 4 0	7 2 0	3 0 0	1 8 0	12 14 0	44 8 0		
12	John Rozario	Husband, C.T.O.'s Office, Karachi	66		5 2·72	104 0 3*		20 4 0	21 2 6	16 1 6	16 6 6	11 1 6	113 1 0	10 12 6	26 9 0	10 9 0	25 0 0	76 3 0	349 15 0		Deficit met by wife's earnings as Health Visitor. *Includes wife's earnings Rs. 96.
					As percentage of T.E.			6	6	5	5	3	32	3	7	3	7	22			
					Consumption per unit			4 13 0	4 15 0	3 11 0	3 12 0	2 8 0	23 9 0	2 13 0	5 7 0	2 1 0	5 0 0	15 6 0	70 6 0		
13	G. D. Mahajan	Telegraphist, C.T.O., Circle Service, Bombay	75		3 2·23	104 0 3		19 0 0 (6)	20 4 6	8 0 6	...	19 4 6	76 2 6	12 14 6	15 0 0	3 4 0	15 0 0	45 0 0*	166 14 6	65	*Insurance & P.F. Rs. 15-10-0.
					As percentage of T.E.			9	22	4	...	11	45	7	9	2	9	27			
					Consumption per unit			3 15 0	5 10 0	2 9 0	...	7 10 0	29 4 0	4 14 0	5 14 0	1 5 0	5 14 0	17 5 0	63 6 0		
14	K. Prasad	Surgeon, R.M.S. Office, Goya	82		4 1·93	108 0 3*		20 4 0 (6)	22 2 6	12 0 0	12 0 0	13 10 6	79 10 0	13 15 0	10 7 0	16 14 0	4 0 0	15 0 0*	217 12 0	.....	*Includes Rs. 100 from landed property. †Interest on loan.
					As percentage of T.E.			9	10	5	5	6	35	6	5	7	2	7			
					Consumption per unit			4 2 0	5 5 0	2 14 0	2 14 0	3 3 0	18 4 0	3 7 0	2 9 0	4 0 0	1 0 0	3 12 0	50 12 0		
15	E. P. Sell	Sub-Postmaster, Bodlianpur, Agra	78		5 2·69	141 0 3*		19 14 0 (6)	24 2 6	11 12 0	...	19 4 6	76 12 6	12 4 0	19 12 9	0 8 0	One Room	60 15 0	189 12 3		*Includes Rs. 24 from property. †Interest on fixed. ‡Insurance Rs. 56.
					As percentage of T.E.			10	13	7	...	10	40	6	10	0	...	32			
					Consumption per unit			4 14 0	5 2 0	3 2 0	2 12 0	4 2 0	19 4 0	3 0 0	4 14 0	0 2 0	...	15 0 0	41 14 0		
16	S. Banerjee	Clerk, Telephone Revenue, Delhi	90		4 2·42	107 0 3*		16 15 0 (6)	21 0 0	15 0 0	16 0 0	10 5 0	118 4 0	13 11 0	23 3 0	7 7 0	17 0 0	50 12 0	276 3 0		*Includes Rs. 204-4-0 from private property. †Insurance Rs. 4-10-0.
					As percentage of T.E.			7	15	9	7	4	42	5	8	3	6	18			
					Consumption per unit			4 2 6	5 0 0	3 12 0	4 0 0	2 10 0	29 4 0	3 7 0	5 12 0	1 12 0	4 4 0	12 10 0	69 9 0		
17	V. N. Jogle	Clerk, Office of the Supdt. of Posts, West Berar Div., Akola	64	80—2—100	3 2·42	91 9 3		15 12 0 (6)	21 2 6	12 4 6	...	12 10 6	61 13 0	6 12 0	23 2 0	6 11 0	11 0 0	32 12 0*	154 4 0		*Insurance Rs. 1-6-0.
					As percentage of T.E.			6	20	8	...	8	40	4	15	4	7	21			
					Consumption per unit			4 0 0	5 0 0	4 0 6	...	3 0 0	22 4 0	2 7 0	8 4 0	2 3 0	3 14 0	11 8 0	54 8 0		
18	T. Thirumalayan	Surgeon, R.M.S., Burwah	44	175—25—5—325	5 2·60	135 0 3*		16 0 3 (6)	27 11 0	18 0 0	...	20 2 9	89 4 0	9 10 0	19 8 0	5 4 0	16 0 0	40 1 0	199 8 0	Deficit met from income.	*Includes Rs. 90 contributed by father. †Insurance Rs. 5.
					As percentage of T.E.			8	14	10	...	10	45	5	10	3	8	20			
					Consumption per unit			3 14 0	5 7 6	4 12 0	...	4 0 6	17 14 0	1 14 0	3 14 0	1 0 0	3 2 0	7 14 0	35 1 0		
19	S. S. Sagil Rao	Clerk, P.M.G.'s Office, Nagpur	69		5 2·23	130 0 3*		17 0 6 (6)	25 0 0	10 12 0	...	16 0 0	68 12 6	12 0 0	27 7 6	7 2 10	19 0 0	45 10 0	208 3 0	400	*Includes Rs. 16 from property. †Insurance Rs. 4-10-0.
					As percentage of T.E.			8	12	5	...	8	33	6	13	3	9	22			
					Consumption per unit			3 2 0	4 11 0	2 0 0	...	3 0 0	12 7 0	2 2 0	4 2 0	1 0 0	2 2 0	8 1 0	31 4 0		

(6) At concession p.m.u either wholly or partly.

APPENDIX XIX

(See CHAPTER VIII)

Family Budget Statement—(*Note* (see *Circles and Allied Castes*

(NOTE.—"T.E." stands for "Total Expenditure")

Ward-robe No.	Name	Designation	Basic Pay	Scale of pay	No. of members	Consumption Units	Income	FOOD GROUP (a) Cereals	(b) Milk & Products	(c) Fruits & Vegetables	(d) Animal Food	(e) Others	Total Food	Fuel and Lighting	Clothing	Housing	House rent	Miscellaneous	Total Expenditure	Debts	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)		(8)					(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)
30	Shiv Dutt	Lineman, Telegraph Engineering, Agra	97	55—4—85	5	2·25	Rs. a. p. 78 9 6*	Rs. a. p. 9 7 0	Rs. a. p. 25 0 0	Rs. a. p. 9 15 0	Rs. a. p. ...	Rs. a. p. 18 13 0	Rs. a. p. 59 9 6	Rs. a. p. 4 12 6	Rs. a. p. 12 10 10	Rs. a. p. 1 7 0	Rs. a. p. 7 4 6	Rs. a. p. 11 9 0	Rs. a. p. 61 4 4	Rs. 300	*Includes wife's earning Rs. 75.
					As percentage of T.E.			16	40	14	...	29	95	8	24	2	12	18		
					Consumption per Unit			4 1 0	11 1 0	4 4 0	...	7 7 0	25 9 6	2 1 0	5 7 0	0 10 0	4 13 0	39 4 6		
31	Mohd. Hussain I	Mistry, Rocket, Central Telegraph Office, Lahore	55	55—4—85	4	2·00	55 9 0	11 14 0	20 5 0	4 5 0	0 8 0	18 7 0	55 3 0	7 9 0	13 9 10	4 1 6	9 0 0	6 3 0	105 6 6	150	
					As percentage of T.E.			21	38	8	1	34	102	14	25	8	17	11		
					Consumption per Unit			2 12 0	5 1 0	1 1 0	1 8 0	4 12 0	13 13 0	1 12 0	3 6 0	1 0 0	2 4 0	13 15 6		
32	Mahrukhh	Porter, R.M.S., Simla	50		6	2·00	61 8 0*	20 5 0	12 15 0	3 13 0	...	11 11 0	48 14 0	3 13 0	7 5 6	1 0 0	5 0 0	7 5 6	80 14 6	120	*Includes wife's earning Rs. 15. (Monthly as casework Adm.
					As percentage of T.E.			25	17	5	...	14	62	11	9	2	6	9		
					Consumption per Unit			4 1 0	2 14 0	0 11 0	...	2 7 0	10 3 0	2 0 0	1 0 0	0 3 0	1 0 0	16 16 0		
33	M. M. Mukherjee	Postmaster, Malkar City	99	55—4—85 (Old Scale)	3	1·65	72 6 0	9 14 0	10 13 0	2 0 0	0 8 0	17 1 0	57 6 0	7 12 0	8 1 10	...	7 12 0	10 14 3*	99 15 3	900	*Includes P. F. Rs. 5.
					As percentage of T.E.			16	18	3	1	30	100	13	14	...	13	18		
					Consumption per Unit			5 12 0	6 4 0	1 0 0	0 4 0	8 8 0	34 8 0	4 4 0	4 12 0	...	4 4 0	60 4 0		
52	J. R. Sharma	Postman, Delhi G.P.O.	55	55—4—85	6	2·40	54 0 0	14 0 6	17 6 0	4 10 0	...	15 7 0	55 9 6	10 9 0	13 0 0	2 4 6	...	5 0 0	25 13 6*	113 4 12	570	*Includes Rs. 12-10-6 loan repaid to father Rs. 1,000 the P. F. of his deceased father.
					As percentage of T.E.			25	32	8	...	27	99	18	23	4	...	9		
					Consumption per Unit			2 9 0	3 12 0	1 10 0	...	3 5 0	11 14 0	2 13 0	3 2 0	...	1 1 0	24 2 0		
53	V. Dubey	Postman, Cawnpore	55	55—4—85	5	2·25	66 8 0*	14 8 0	19 2 0	11 13 0	...	18 14 0	64 8 0	12 6 0	14 10 2	...	4 0 0	21 8 0	121 12 2	1,200	*Includes father's pay Rs. 35.
					As percentage of T.E.			22	30	18	...	30	100	19	23	...	7	34		
					Consumption per Unit			2 14 0	3 8 0	2 12 0	...	3 12 0	14 12 0	2 12 0	3 2 0	...	1 0 0	27 14 0		
34	Md. Rauf	Postman, Lucknow	55	55—4—85	4	2·00	39 0 0*	13 14 0	14 12 0	5 0 0	0 6 0	6 7 0	45 1 0	7 9 0	11 6 11	...	6 0 0	12 4 0	82 1 0	624	*Includes Rs. 10 from father towards clothes.
					As percentage of T.E.			15	16	6	1	9	49	8	14	...	7	24		
					Consumption per Unit			4 10 0	4 14 0	1 10 0	1 0 0	2 12 0	14 14 0	2 6 0	3 12 0	...	2 0 0	7 6 0	30 7 6		
35	Rustam Ali	Porter, R.M.S., Kalka	14	14—13—19	4	2·00	43 0 0*	13 0 0	13 6 0	3 11 0	1 0 0	6 6 0	40 9 0	6 7 0	7 9 0	...	3 0 0	13 2 6	70 12 6	...	*Includes Rs. 14 p.m. by tuitions.
					As percentage of T.E.			19	19	5	2	12	57	9	10	...	4	19		
					Consumption per Unit			3 4 0	3 4 0	0 14 0	0 4 0	1 12 0	10 4 0	1 12 0	1 14 0	...	0 12 0	3 7 6	19 9 6		
37	M. C. Kar	Postman, Dacca	55	55—4—85	4	2·00	50 0 0	12 4 0	14 4 0	12 8 0	2 0 0	7 0 0	49 0 0	10 7 0	10 7 0	...	2 0 0	22 10 0	93 8 0	...	
					As percentage of T.E.			12	15	13	4	7	51	11	11	...	2	23		
					Consumption per Unit			3 0 0	3 12 0	3 4 0	0 8 0	1 12 0	12 0 0	2 10 0	2 10 0	...	0 8 0	18 8 0		
38	Md. Ishaque	Postman, Hissa	55	55—4—85	5	2·25	60 0 0*	17 3 0	8 10 0	10 6 0	10 0 0	6 12 0	51 1 0	7 13 0	9 0 4	...	3 0 0	10 5 10	89 4 4	65	*Includes Rs. 15 p.m. from brother. (Defender Insurance Rs. 3-0-0.
					As percentage of T.E.			27	9	12	10	7	65	9	9	...	3	19		
					Consumption per Unit			3 6 0	1 12 0	2 0 0	2 0 0	1 8 0	10 6 0	1 12 0	1 12 0	...	0 12 0	4 2 0	17 4 0		
39	K. B. Singh	Postman, Jubbulpore	40	14—4—21	3	1·65	45 0 0	7 7 0	14 14 0	10 0 0	...	14 4 0	47 1 0	4 13 0	9 0 0	...	3 0 0	24 13 0*	88 1 0	240	*Includes repairment Rs. 10. Sent his father some for Rs. 200 10-cwts off debt.
					As percentage of T.E.			8	16	12	...	16	53	5	10	...	3	27		
					Consumption per Unit			4 2 0	8 8 0	5 12 0	...	7 10 0	25 14 0	2 8 0	5 0 0	...	1 8 0	13 10 0	50 0 0		
42	Lakhbir Singh	Postman, Amritsar	27	55—4—85	5	2·40	67 9 0*	10 7 6	16 14 6	7 14 0	...	10 12 0	54 15 6	10 10 0	13 14 2	...	4 0 0	21 9 0	139 12 8	...	*Includes Rs. 12 p.m. from land.
					As percentage of T.E.			17	33	5	...	20	39	21	14	...	7	19		
					Consumption per unit			4 0 0	6 12 0	1 12 0	...	2 8 0	14 4 0	2 14 0	3 8 0	...	1 0 0	24 11 6		
43	O. D. Shirke	Telegraph messenger, Poona	7	7—1—3—6	4	2·00	45 0 0	10 4 0	8 12 0	3 0 0	...	10 7 0	34 3 0	11 1 3	3 6 0	...	3 0 0	10 12 3*	74 10 3	170	*Includes subscrn Rs. 10.
					As percentage of T.E.			14	24	9	...	31	78	15	5	...	4	14		
					Consumption per Unit			4 0 0	2 11 0	0 12 0	...	2 10 0	10 13 0	3 11 0	1 2 0	...	1 0 0	16 6 0		
44	D. D. Bhatkar	Postman, Poona	32	55—4—85	4	2·00	60 0 0	8 0 0	9 0 0	4 2 0	...	17 1 0	38 3 0	3 0 0	3 14 0	...	3 0 0	10 2 0	58 3 0	110	
					As percentage of T.E.			13	15	7	...	29	64	5	6	...	5	17		
					Consumption per Unit			2 0 0	2 4 0	1 1 0	...	4 4 0	9 9 0	0 12 0	0 14 0	...	0 12 0	2 8 0	14 8 0		
45	S. V. Singh*	Postman, Poona	26	55—4—85	1	1·00	45 0 0	...	...	...	...	...	7 3 0	10 4 0	9 0 0	2 11 0	3 0 0	10 3 0	79 1 0	1,000	*Takes hotel food at Rs. 1-3-0 per day.
					As percentage of T.E.								9	13	11	3	4	13			
					Consumption per Unit								7 3 0	10 4 0	9 0 0	2 11 0	3 0 0	10 3 0			
46	K. D. Khotkar	Porter, R.M.S. "B" Division	17	15—13—27	4	2·10	45 0 0	11 12 0	13 13 0	5 2 0	1 0 0	11 9 0	42 4 0	11 0 0	9 14 4	...	3 0 0	17 2 0	80 11 7	500	
					As percentage of T.E.			15	16	6	1	14	52	14	12	...	4	21			
					Consumption per Unit			5 12 0	6 4 0	2 10 0	0 8 0	5 10 0	20 4 0	5 4 0	4 12 0	...	1 8 0	38 8 0			
50	Suraj Ram	Foreman, Jammu-Tawi, Kashmir	32	55—4—85	4	2·00	45 0 0	14 10 0	22 4 0	6 12 0	...	9 0 0	52 6 0	10 12 0	13 1 0	...	3 0 0	26 13 0	96 12 10	...	Deficit made good by father.
					As percent age of T.E.			15	24	7	...	9	55	11	13	...	3	28			
					Consumption per Unit			3 12 0	5 10 0	1 12 0	...	2 4 0	13 0 0	2 11 0	3 4 0	...	0 12 0	6 8 0	24 5 0		
51	Mohd. Shafi	Packet, Amritsar	16	15—13—27	3	1·65	16 0 0	10 12 0	13 12 0	3 14 0	2 0 0	3 14 0	43 8 0	10 0 0	9 12 4	...	...	15 2 0	78 10 4	...	*Lives in father's house.
					As percentage of T.E.			20	13	5	4	8	55	13	12	...	...	20			
					Consumption per Unit			4 11 0	5 13 0	1 8 0	0 16 0	1 8 0	14 0 0	3 12 0	3 12 0	...	...	5 10 0	26 14 0		

APPENDIX XX

(See CHAPTER V)

Working class cost of living index numbers for various centres

Classification of Centre for dearness allowance	A	A	C	E	E	B	C	C	C	C	C	D	D	C	C	C	C	B	B	C	B	C	B	B	B	C	C	C	C	C	C	C	C
Centre	Bombay	Ahmedabad	Sholapur	Nagpur	Jubbulpore	Poona	Mhow	Nowgong	Jamshedpur	Bhatia	Cuttack	Raniki	Lahore	Multan	Ludhiana	Rohtak	Multan	Cawnpore	Meerut	Bareilly	Lucknow	Gondakpur	Benares	Madras	Tiruppattur	Salem	Bellary	Coimbatore	Coimbatore	Madura	Trichinopoly	Calicut	Jalgaon
Base period	July 1914 = 100	Year ended July 1927 = 100	Year ended July 1929 = 100	Jany. 1927 = 100	Jany. 1927 = 100	Average of 5 years ending June 1914 = 100	Average of 5 years ending June 1914 = 100	Average of 5 years ending June 1914 = 100	Average of 5 years ending June 1914 = 100	Average of 5 years ending June 1914 = 100	Average of 5 years ending June 1914 = 100	Average of 5 years ending June 1914 = 100	Average from 1921-25 = 100	Average from 1921-25 = 100	Average from 1921-25 = 100	Average from 1921-25 = 100	Average from 1921-25 = 100	Average from 1921-25 = 100	Aug. 1916 = 100	July 1916 to 1919 = 100	July 1916 to 1919 = 100	July 1916 to 1919 = 100	July 1916 to 1919 = 100	July 1916 to 1919 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	Year ended June 1928 = 100	August 1926 = 100
Items included in the Index	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c	a—c
1925 Average	155	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1926 Average	155	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1927 Average	154	..	..	102	93	..	..	..	176	151	157	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1928 Average	147	92	..	96	88	..	..	..	177	177	150	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1929 Average	145	97	101	97	91	..	..	..	171	169	142	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1930 Average	137	97	92	93	79	..	..	..	149	147	132	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1931 Average	110	75	73	80	62	..	..	..	123	121	93	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1932 Average	100	70	70	65	55	..	..	..	110	114	87	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1933 Average	102	72	69	65	55	74	76	97	107	91	90	89	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1934 Average	99*	71	72	57	54	67	81	97	100	90	97	92	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1935 Average	100	71	72	55	56	101	94	100	110	102	95	95	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1936 Average	101	71	71	58	57	100	95	101	107	104	95	95	113	116	107	100	119	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1937 Average	106	76	79	62	61	106	99	96	108	100	92	99	120	127	113	110	126	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1938 Average	106	71	73	61	57	101	93	99	108	101	93	97	109	117	113	104	113	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
1939 Average	108	73	74	63	59	105	102	111	107	113	104	99	120	121	124	113	122	107	..	..	..	..	..	106	..	..	..	..	..	..	..	..	..	..	..
1940 Average	112	79	76	70	67	121	120	110	117	120	115	104	120	121	120	124	125	111	..	..	..	..	..	107	..	..	..	..	..	..	..	..	..	..	..
1941 Average	124	87	84	78	76	140	138	141	134	142	135	129	146	143	143	139	143	133	..	..	..	..	..	113	..	..	..	..	..	..	..	..	..	..	124
1942 Average	167	114	113	105	106	195	213	192	184	199	199	198	206	199	213	199	206	181	..	..	..	..	..	179	188	188	188	189	189	189	189	189	189	189	169
1943 Average	231	206	194	180	173	274	289	263	253	279	317	263	289	283	274	274	287	208	244	262	315	262	293	178	226	226	202	204	199	197	199	199	213	274
1944 Average	237	212	201	189	184	293	296	281	261	305	349	247	307	304	292	289	304	214	255	304	324	304	301	205	204	203	214	225	213	223	205	204	223	295
1945 Average	255	199	201	184	183	319	304	295	290	271	298	265	249	289	290	286	293	226	254	314	324	305	299	222	224	224	224	231	224	232	220	220	233	295	291

* Base changes into : Average price from July 1929 to June 1934 = 100.

a = Food (including fuel).
b = Fuel and lighting.
c = Clothing.
d = Miscellaneous.
e = House-rent.

GIPD—83—161 D of L.—16-46—500

00109059

Digitized with financial assistance from the
Government of Maharashtra
on 02 July, 2018